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SOUTHCENTRAL ALASKA SUBSISTENCE REGIONAL ADVISORY COUNCIL  
PUBLIC MEETING  
Assembly Chambers, Kenai Peninsula Borough  
144 N. Binkley Road, Soldotna, Alaska  
October 6 & 7, 1994  
  
VOLUME I

COUNCIL MEMBERS PRESENT:

~~R~~oy S. Ewan, Chairman  
~~L~~ee C. Basner, Vice Chairman  
~~B~~enjamin E. Romig, Member  
~~R~~alph Lohse, Member  
~~E~~lga Eakon, Coordinator

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P R O C E E D I N G S

(On record)

CHAIRMAN EWAN: I'll call the meeting to order. Welcome to the Southcentral Alaska Subsistence Regional Advisory Council Meeting. I want to welcome the council members, the nominated members, Ralph Lohse and Fred John. And I'll start off here by introducing myself, I'm Roy Ewan, from Gulkana.

AUDIENCE MEMBER: Would you speak into the microphone? We can't hear you.

CHAIRMAN EWAN: Okay, can you hear me okay? Boy, I don't know what the problem is, but, yeah, I've got to get real close to it, I guess. I'm Roy Ewan, I'm from Gulkana, in the Copper River area. Also president of Ahtna Incorporated. So with that I will just -- we'll just go around and introduce members.

MR. BASNER: I'm Lee Basner, Vice Chair, from Colorado Lake, Cantwell area.

MR. ROMIG: I'm Ben Romig, from Coopers Landing.

MR. LOHSE: I'm Ralph Lohse, from Cordova -- do I have to turn this on?

COURT REPORTER: It's on.

MR. LOHSE: It is on, okay.

CHAIRMAN EWAN: Want to have roll call?

MS. EAKON: Roy Ewan.

CHAIRMAN EWAN: Here.

MS. EAKON: Lee Basner.

MR. BASNER: Here.

MS. EAKON: Gary Kompkoff. Fred John, Jr., Gary Skolkoff, Ben Romig.

MR. ROMIG: Here.

MS. EAKON: Ralph Lohse?

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1  
2 MR. LOHSE: Here.  
3  
4 MS. EAKON: A quorum has hereby been established.  
5  
6 CHAIRMAN EWAN: All right. The council members already  
7 introduced themselves. I'll let Helga introduce the staff  
8 members present.  
9  
10 MS. EAKON: Okay, for the record, my name is Helga  
11 Eakon, I'm the coordinator for this council. To my immediate  
12 right is Dick Marshall, who is the acting Deputy Assistant  
13 Regional Director of Fish & Wildlife Service, Office of  
14 Subsistence Management. And Mr. Marshall will also be  
15 recording council motions and actions today. And to my left,  
16 Robert Willis, who is Wildlife Biologist; Ron Thuma, who is  
17 Socio-economic Specialist; Taylor Brelsford, Anthropologist;  
18 John Morrison, who is representing the State of Alaska, Fish &  
19 Game, today. I would also like to welcome a member of the  
20 Interagency Staff Committee, Norman Howse, from Forest Service;  
21 also Mark Chase, from the Kenai Wildlife Refuge; and his  
22 Biologist -- I'm sorry, I forgot your name?  
23  
24 MR. ERNST: Rick Ernst.  
25  
26 MS. EAKON: Rick Ernst; E-r-n-s-t? Okay. Steve Zemke,  
27 who is from the Chugach National Forest; Bruce Greenwood,  
28 National Park Service, Anchorage; Janis Meldrum, who is from  
29 the National Park Service; Bill Route, Wrangell/St. Elias;  
30 Hollis Twitchell, Denali National Park and Preserve, and the  
31 gentleman who just came in?  
32  
33 MR. SPRAKER: Ted Spraker, Fish & Game.  
34  
35 MS. EAKON: Ted Spraker; S-p-r-a-k-e-r, from the Alaska  
36 Department of Fish & Game.  
37  
38 CHAIRMAN EWAN: All right, thank you. The next order  
39 of business will be adoption of the Agenda.  
40  
41 MS. EAKON: Mr. Chair.  
42  
43 CHAIRMAN EWAN: Yes.  
44  
45 MS. EAKON: I do have a number of additions, please.  
46 Please note that under Agenda item 7. A.(3) that Bill Route,  
47 and his last name is spelled R-o-u-t-e, and not Jay Wells, will  
48 the Wrangell/St. Elias update and a briefing on the Lake  
49 Montasta caribou herd.  
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1  
2 Please note that in your packets there is a letter from  
3 Wrangell/St. Elias Subsistence Resource Commission, under 7. A.  
4 That is in your materials under Tab 7. A., and basically that  
5 was signed by John Vale, the chair of that commission. And it  
6 is requesting closer interaction between this council and that  
7 commission, and they have invited the coordinator, myself, to  
8 the next meeting, which they anticipate will be November of  
9 this year.

10  
11 You will also notice immediately behind that letter a  
12 letter from Sue Entsminger -- am I pronouncing that correctly,  
13 the Basner? Entsminger? -- who is from, I believe, Tok. But  
14 she has some concerns, and I will read her concerns into the  
15 record when we get to that agenda item.

16  
17 Also under 7. A.(2) there is a very recent letter  
18 signed by the Federal Subsistence Board Chair Willie Hensley  
19 regarding the Ninilchik request for harvest of five moose.  
20 That was acted upon at the August meeting of the board.

21  
22 And also under 7. A(6) Mike Coffeen, from the Bureau of  
23 Land Management, Glennallen district, was unable to attend. He  
24 called me yesterday and he did send a fax. When we get to that  
25 item, I will distribute copies of his fax and just to give you  
26 heads up, he does have three proposed changes to hunting  
27 regulations in the Glennallen district.

28  
29 Also we do have a large map here, a fairly recent  
30 draft, colored land status map that I would like the agencies  
31 and members of the public and staff to look at for corrections  
32 that it could be revised. And I will give each of the  
33 council members a smaller map for your corrections.

34  
35 And finally under Agenda item 8. G. there is another  
36 special action 94-11 regarding a Forest Service request for  
37 emergency closure of a goat -- and Robert Willis will take the  
38 lead on that presentation.

39  
40 Those are the additions that I have, Mr. Chair.

41  
42 CHAIRMAN EWAN: Okay, are there any other additions or  
43 corrections to the Agenda? I'll entertain a motion to adopt  
44 the Agenda.

45  
46 MR. LOHSE: I so move.

47  
48 CHAIRMAN EWAN: There's a motion, is there a second, to  
49 adopt it?

50

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1  
2 MR. ROMIG: I second it.  
3  
4 CHAIRMAN EWAN: There's a motion and seconded. All in  
5 favor say aye.  
6  
7 IN UNISON: Aye.  
8  
9 CHAIRMAN EWAN: Opposed by same sign. (No opposing  
10 responses) Motion is carried. We have tabs here that we've  
11 got to follow, so I'm going to Tab Number 5 here, Minutes. I  
12 guess the minutes are attached.  
13  
14 You can't hear me? Okay, maybe I better talk directly  
15 to this kind of a -- I wonder how the chamber members of the  
16 Kenai Borough manage this. You have to be right up to the  
17 mike all the time. Okay, I'll try to get closer to the mike.  
18 Can you hear me okay now?  
19  
20 Okay, the next order of business is the adoption of the  
21 Minutes. I believe they're attached. Is that correct?  
22  
23 MS. EAKON: Yes.  
24  
25 MR. LOHSE: I move we adopt the March 2 - 3, 1994  
26 Minutes.  
27  
28 CHAIRMAN EWAN: There's a motion; is there a second?  
29  
30 MR. BASNER: I'll second.  
31  
32 CHAIRMAN EWAN: Moved and seconded to adopt the Agenda  
33 (sic). Any further discussion on the motion? If not, all in  
34 favor say aye.  
35  
36 IN UNISON: Aye.  
37  
38 CHAIRMAN EWAN: Opposed, same sign. (No opposing  
39 responses) Motion is carried.  
40  
41 Tab 6. The next order of business is the Election or  
42 Nomination and Election of Officers.  
43  
44 MS. EAKON: As Chair Pro tem, I'm going to begin with a  
45 brief description of duties of the office of chair. The chair  
46 serves a one-year term, however, may serve more than one year.  
47 The chair conducts the regional council meetings, attends and  
48 represents the regional council at meetings of the Federal  
49 Subsistence Board. The chair is a voting member of the  
50

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council. The chair signs reports, correspondence, meeting minutes and other documents for external distribution.

3  
4 With that I will open the floor for nominations for the  
5 office of chair.

6  
7 MR. BASNER: I nominate Roy Ewan.

8  
9 MS. EAKON: Roy Ewan has been nominated. This does not  
10 require a second. Are there any other nominations for the  
11 office of chair? Hearing none, I hereby declare nominations  
12 closed. Ladies and gentlemen, members of the council, please  
13 welcome your new chair, Mr. Ewan.

14  
15 CHAIRMAN EWAN: Thank you. That was very simple, huh?  
16 We need to nominate vice chair?

17  
18 MS. EAKON: Yes.

19  
20 CHAIRMAN EWAN: You want to continue with them or do  
21 you want me to do it?

22  
23 MS. EAKON: I could do it, if you wish. Again, the  
24 office of vice chair duties: Serves a one-year term in that  
25 capacity, however may serve more than one year. The vice chair  
26 helps the chair and assumes all functions of the chair in his  
27 her absence. With that I will open the floor for  
28 nominations for the office of vice chair.

29  
30 MR. LOHSE: I'll nominate Lee Basner.

31  
32 MS. EAKON: Ralph Lohse has nominated Lee Basner. Are  
33 there any other nominations for the office of vice chair?  
34 Hearing none, I hereby declare nominations closed and  
35 unanimously Mr. Basner is once again vice chair.

36  
37 CHAIRMAN EWAN: All right. Do you want to thank them?

38  
39 MR. BASNER: I don't know if I want to thank them or  
40 whip them.

41  
42 CHAIRMAN EWAN: All right. I want to thank the council  
43 members for your confidence. I realize that I am a busy man  
44 and you still feel that I can adequately serve you as your  
45 chairman. I appreciate that. Thank you very much. And I'm  
46 sure Lee appreciates being nominated as vice chair also.

47  
48 MR. BASNER: Yeah, I do, and I do thank you. I'll do  
49 my best to hold your confidence.

50

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1  
2 CHAIRMAN EWAN: Okay, there's another office that we  
3 have to nominate and elect, and that's for the secretary.

4  
5 MS. EAKON: The secretary serves a one-year term,  
6 however, may serve more than one year. Currently Gary Kompkoff  
7 from Tatitlek, who is absent today, serves in that capacity.  
8 The secretary takes roll call and decides if a quorum is  
9 present, records votes and assumes all functions on the chair  
10 in the absence of the chair and vice chair. At the discretion  
11 of regional council records the minutes.

12  
13 With that I will open the floor for nominations for the  
14 office of secretary.

15  
16 MR. LOHSE: I'll nominate Ben Romig.

17  
18 MS. EAKON: Ralph Lohse has nominated Ben Romig. And  
19 Mr. Romig has announced that he would like to decline.

20  
21 MR. BASNER: I nominate Ralph Lohse.

22  
23 MS. EAKON: Lee Basner has nominated Ralph Lohse.

24  
25 MR. LOHSE: One question, Helga. Have I been  
26 appointed to the committee?

27  
28 MS. EAKON: You have indeed been officially reappointed  
29 to this council. Thank you. Mr. Lohse, who has accepted the  
30 office of secretary.

31  
32 CHAIRMAN EWAN: All right. Congratulations, Ralph.  
33 Did you want to say anything?

34  
35 MR. LOHSE: As little as possible.

36  
37 CHAIRMAN EWAN: Okay, let's move on to Tab Number 7 in  
38 your packet there which has to do with -- we'll get into our  
39 reports under Old Business. Number one will be the report on  
40 the Federal Subsistence Board Meeting in April, which is  
41 by Lee Basner and Helga Eakon. Which one is going to be first?

42  
43 MR. BASNER: Yes. I attended the board meeting  
44 presenting the chairman, and would like to offer several  
45 observations, particularly to the council members, on the  
46 conduct of the board and the way they conducted the meeting and  
47 the way they received and treated those of us who were there to  
48 testify before them. I was tremendously encouraged by the  
49 conduct of the board. I was extremely gratified to find that  
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the board, not only did they listen to us, they encouraged us to give them any comments that we wanted to, and they didn't just give us lip service; they treated us almost as another board member.

5

6 The configuration of the board meeting itself was such that it incorporated us into the process. I think all of the chairmen or vice chairmen came away from the board meeting with a feeling that finally we have got some people that really do want to find out what the people out in the subsistence areas believe in, what their needs are, and what their recommendations are. And it was just a very good feeling to know that we are -- that we do have their ear.

14

15 Along those same lines, I'd like to comment that along with the fact that they listened to us, paid attention to us and pretty much they gave us everything we asked for. Along with that comes a danger, and that is that we want to be very careful when we make our recommendations. We want to be very careful that we deliberated at great length, in some cases before we submit a proposal before this board. I don't mean to infer that this board's going to be a rubber stamp operation to anything that we present to them, but nevertheless since they are giving us such serious consideration, we owe it to the board to give serious consideration to anything that we present to them.

27

28 And unless someone has any question, that's all I think need to say on the board meeting itself. Everything, I think the members realize, everything that we recommended was passed by the board, and I won't take up more time on the issue unless you have a question.

33

34 CHAIRMAN EWAN: All right. Item Number 2 under Reports will be Federal Subsistence Board Meeting in August, and Helga will be reporting on that.

37

38 MS. EAKON: The Federal Subsistence Board met on August 19, 1994, and this was the first time that Willie Hensley had chaired a business meeting of the board, and it was very well attended. In your council packets you do have a transcript of the meeting, that portion which pertained to business concerning the Southcentral Council and this region.

44

45 Specifically the board acted upon special action 94-02, Units 7 and 15, moose, and that was a request by the Ninilchik Traditional Council to harvest five moose for their elders. And as you can see, if you turn to page 83, this topic took up from pages 83 to page 120 of the meeting, and you do have that

50

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Before you. Basically what the board did was they turned down that request. They said we're better off waiting until the Kenai C & T determinations are done. And I do have copies of a letter signed by Willie Hensley, as board chair, that specifically addressed a more detailed explanation of why the board turned down the request from the Ninilchik Traditional Council. This letter is dated October 4, 1994, and signed by William L. Hensley, as chair of the Federal Subsistence Board.

9  
10 And at this time I will distribute this. Laurel, if you do not have a copy in your packet, here is -- this was just handed to me yesterday, so I rather doubt that it is in your packet, for the record. And I do have extra copies here for any members of the public who would be interested in reading 15. And that was basically it for our portion.

16  
17 There was a discussion on the customary and traditional use determination schedules. Members of the council, that is also contained in the transcript, and there was a Fisheries Contingency Planning Update that was presented by Mr. Marshall, and that is also in the transcript.

22  
23 CHAIRMAN EWAN: All right. Thank you, Helga. I just want to comment briefly that contradicts what Lee just reported. We didn't get approval from our recommendation. We, of course, didn't have a recommendation, this was sort of brought up at the meeting, kind of new to me. I just supported the idea of giving the opportunity to some elders in the Ninilchik area to hunt moose. That was what the recommendation was about that was turned down. They said we should get more information, go through the process as Fish & Wildlife Service recommended. I stated at that meeting that I thought we went through the process. We went through the C & T determination for the Kenai Peninsula and I guess that was not counted; we have to go through the process again.

36  
37 Anybody want to comment on this question?

38  
39 MR. BASNER: Mr. Chairman, what do you mean we have to go through the process on the C & T again? Do you mean .....

41  
42 CHAIRMAN EWAN: I guess that's what I'm hearing.

43  
44 MS. EAKON: Mr. Chair, the Kenai C & T process schedule 45 an agenda item at which time Taylor Brelsford, who has taken the lead on this process will brief you not only on the schedule but go over a summary of the review comments we received to date on the report itself.

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1 Did you have anything else to add, Taylor?

2

3 MR. BRELSFORD: Well, I think in reference to  
 4 Mr. Ewan's question just now, it might be helpful to clarify  
 5 that the C & T decision process never concluded. There were  
 6 some delays starting from about February until about August, so  
 7 the Southcentral Council went through much of the documentation  
 8 with us. We met in January. I believe it was January 29, and  
 9 your review comments, your detailed review is on the record and  
 10 has been made available. But the board and its Staff Committee  
 11 have not yet made decisions, and they will actually be  
 12 proceeding with that very quickly. Mid-November is the  
 13 scheduled date for a meeting and a proposed rule will come, and  
 14 then the final rule would be in April. So you wouldn't have to  
 15 repeat .....

16

17 CHAIRMAN EWAN: We don't have to go through the  
 18 process?

19

20 MR. BRELSFORD: Exactly.

21

22 CHAIRMAN EWAN: Oh.

23

24 MS. EAKON: Also I should add that at the winter  
 25 meeting this council will once again go through the transcript  
 26 of the January 28 meeting and ratify its recommendations. That  
 27 will be the time when this council makes their formal  
 28 recommendation to the Federal Subsistence Board on this topic.

29

30 CHAIRMAN EWAN: All right. Any questions or comments?  
 31 If not, we'll move on to the next item. Item number 3,  
 32 National Park Service; Hollis Twitchell, and Wrangell/St.  
 33 Elias, are they going to be taken together, one following the  
 34 other?

35

36 MS. EAKON: Yes. Bill Route will do the update and  
 37 then the report on the Mentasta Lake caribou herd, immediately  
 38 after Hollis Twitchell makes his presentation.

39

40 CHAIRMAN EWAN: While he's going through his notes,  
 41 something occurred to me that I didn't mention about the report  
 42 we were talking about, the five requests from Ninilchik  
 43 Additional Council to harvest five moose for the elders. They  
 44 turned down that C & T determination, the board did act on our  
 45 recommendation at that meeting. That's what I was -- so do  
 46 they have to act on it again?

47

48 MR. BRELSFORD: Mr. Chair, I think the motion submitted  
 49 the April 17 meeting or offered by the BIA's representative

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was to make an interim finding of eligibility for Ninilchik, and that would then give the board authority to make an application. So it was a temporary -- an interim finding proposed, and that was ultimately declined by the whole board, and instead the board decided to hold off until the final decisions are made in November of '94 and February of '95 -- pardon me, April of '95. So I think the board's action has been consistent with requests for interim findings that they have considered several times in the last two years, and they basically continued to say that they wanted to go through the complete decision making process, reach the proposed rule, have public review, and then make the final rule. That would all come to a conclusion in April of 1995.

14

15 MR. BASNER: Mr. Chair- .....

16

17 MS. EAKON: Mr. Chair.

18

19 MR. BASNER: Mr. Chairman, I have a question. I don't  
 20 call this council in a formal meeting making a recommendation  
 21 on these five moose for these people in Ninilchik, and -- I  
 22 mean if I missed it or if I slept through it, shame on me, but  
 23 just don't .....

24

25 CHAIRMAN EWAN: I personally supported it and I believe  
 26 Gary Oskolkoff came in and testified. What was really  
 27 determined was whether they had customary and traditional use  
 28 termination.

29

30 MR. BASNER: Well, what was the format -- oh, I'm  
 31 sorry.

32

33 CHAIRMAN EWAN: ..... for the five moose request. So  
 34 that's how it came about. That's my own interpretation.

35

36 MR. BASNER: Well, I'm not saying that I disagree with  
 37 the concept, but my question is I didn't know that this council  
 38 was on record as supporting this as a council. Under what  
 39 format did we do that? I don't remember.

40

41 CHAIRMAN EWAN: We didn't have time to. We didn't have  
 42 meeting. I was just asked to come to the meeting, I was  
 43 asked to comment on this. I did support it at Gary Oskolkoff's  
 44 request.

45

46 MR. BASNER: Thank you. I thought I missed it.

47

48 CHAIRMAN EWAN: Helga.

49

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1 MS. EAKON: Yes. I should mention that Dick Pospahala  
 2 will be arriving this afternoon to attend that portion of the  
 3 meeting concerning the Kenai Peninsula C & T determinations.

4  
 5 CHAIRMAN EWAN: Okay. Thank you. Go ahead.  
 6

7 MR. TWITCHELL: Good morning. Is this working?  
 8 Hollis Twitchell, Denali National Park. I'd like to bring you  
 9 up to date on a couple of topics that Denali Subsistence  
 10 Resource Commission discussed in their June 8 meeting this  
 11 summer.

12  
 13 The first issue that they took action on was a request  
 14 that they had submitted as a hunting plan proposal for an  
 15 alternative winter hunt in Wildlife Management Unit 20(C),  
 16 which is on the north side of the Alaska Range in Denali  
 17 National Park Preserve. The SRC had made a proposal several  
 18 years ago to create this alternative hunt which would occur in  
 19 November, early December period; November 15 to December 15,  
 20 provide an opportunity for subsistence users who utilize that  
 21 northern portion of the park/preserve primarily during the  
 22 trapping period, and their request was to have an opportunity  
 23 to harvest their one moose during that time of year as an  
 24 alternative to the then existing season of September 1 to  
 25 September 30.

26  
 27 The recommendation was made through the Secretary of  
 28 the Interior as a hunting proposal. This occurred prior to the  
 29 establishment of the federal regional councils. The Secretary  
 30 then asked that a review be made of the moose populations in  
 31 20(C) to determine whether the population can sustain the  
 32 additional harvest and also whether that hunt at that time of  
 33 the year would be a customary and traditional hunting period.

34  
 35 The park was directed to do the analysis, which was  
 36 done, and it was determined that the moose population was  
 37 indeed a natural, healthy population and that it could sustain  
 38 the additional harvest with the exception of the area in the  
 39 Rampede quarter where there was significantly lower density of  
 40 moose compared to the rest of the unit in 20(C). Because of  
 41 that low density in that region and the potential for  
 42 significant harvest to occur because of its proximity to a  
 43 fairly large resident zone with easy road access to the area,  
 44 the park recommended that the boundaries for this new hunt be  
 45 established from the Kantishna Hills westward to include park  
 46 and preserve lands.

47  
 48 The Denali Resource Commission questioned the boundary  
 49 being established in Kantishna Hills in that it may be  
 50

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difficult to define just where that boundary actually lay. They in turn recommended that the boundary be adjusted to be established at the Toklat River and extend from the Toklat River westward, which would indeed include all of the Kantishna Hills.

6

7

That decision was supposed by the part and the recommendation was modified to reflect that and was presented to the Federal Subsistence Board in their August meeting as the proposal to create the hunt from November 15 to December 15 for Denali National Park Preserve in Wildlife Management Unit 20(C), from the Toklat River westward. The Federal Subsistence Board passed that proposal and currently that new hunt is authorized.

15

16

The second issue that Denali Subsistence Resource Commission dealt with was a recommendation by the park to establish boundaries for two of their resident zone communities for Denali. Denali has four communities that are resident zone communities; that being the community of Cantwell, Lake Minchumina, Nikolai and Tolida. Cantwell and Lake Minchumina already have defined boundaries on where they community resident zone lays. The communities of Nikolai have not been defined. The park traveled to those communities in the winter and met with the local village councils, city councils and elders in those communities and asked them where they felt that the boundaries should lay for their resident zones.

28

29

The decision was made with those groups for the Nikolai to be one mile radius from the eastern end of the airstrip, which would enclose all the housing in the areas that are presently being utilized in Nikolai, in addition to the HUD housing areas that are being under construction currently.

34

35

We carried that proposal back to Denali Subsistence Resource Commission and asked their recommendation on that request, and a motion was passed to support those boundaries.

38

39

For the community of Tolida the residents recommended that the boundary between the existing airstrip and the Swift Fork River be the area to be included in the resident zone, which again includes all the housing units for people in that community. That recommendation was also supported by Denali Subsistence Resource Commission.

45

46

The third item regards the appointments by the Western Interior Regional Advisory Council to Denali SRC. If you recall at your last meeting there was some discussion whether this particular Southcentral Regional Council wanted to retain

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two appointing positions to Denali's SRC, which is currently reflected in Denali's chart. The Western Regional Advisory Council had requested that that allocation be changed to allow them to appoint one person so that they would have representation for the communities of Nikolai and Tolida, which lies within their regional council area.

7  
8 The park wrote the Western Interior Regional Council pointing out the fact that their appointees needed to be a subsistence user of park lands as well as being either a council member or a local Fish & Game Advisory Committee member. The letter pointed out that to the park's knowledge there wasn't anyone in those communities that traveled all the way across the preserve to the park lands to engage in subsistence activities. They questioned whether they could find someone in the communities that could meet the requirements for council appointments. Once that was done they realized that they have indeed a very difficult time finding an eligible appointee to make.

20  
21 Subsequently, we recommended that they look to state appointments or Secretary of Interior appointments as an alternative to ensure representation for their communities. Subsequently, the Western Regional Council wrote to the State of Alaska, who that was at that time planning to fill two positions. They made a recommendation that Steve Eluska, from the village of Tolida, be one of the people that the state consider for appointment to the SRC.

29  
30 On June 10 the State of Alaska did appoint Steve Eluska to Denali's SRC. In doing so met the Western Regional Council's request and also ensured that there would be representation for those communities. So that action is complete now.

35  
36 The last item that I was going to talk about, and I don't know whether you would like it to fall under this agenda item of SRC's updates or whether it should be added as a new agenda item a little bit later in the day. But the issue I'd like to discuss is subsistence hunting in the Kantishna Hills Area, which is in Unit 20(C). It's an area just off the end of the park road that -- just past Wonder Lake.

43  
44 CHAIRMAN EWAN: Do we have that down as an agenda item?

45  
46 MR. TWITCHELL: Whichever time you would like that issue discussed, I'd be happy to cover it.

48  
49 CHAIRMAN EWAN: Okay, under I., could we do it then?

50

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1  
2 MR. TWITCHELL: Okay.  
3  
4 CHAIRMAN EWAN: Could you state the item again?  
5  
6 MR. TWITCHELL: It will be Subsistence Hunt in the  
Kantishna Hills Area, which is in Wildlife Management Unit  
20(C). That's it for the SRC update.  
9  
10 CHAIRMAN EWAN: Okay, thank you, Hollis. Are there any  
questions? If not, we'll move on to the next report from  
W2angell/St. Elias.  
13  
14 MS. EAKON: Bill Route.  
15  
16 CHAIRMAN EWAN: Bill Route.  
17  
18 MR. ROUTE: Thank you, Mr. Chairman, council members.  
19  
20 CHAIRMAN EWAN: Before you start, could I -- we didn't  
mention about why the three members are missing here. I know  
22 one reason of Fred John, Jr. Two family members passed away  
during the week, and I believe that is why he is absent. As  
24 far as Gary Oskolkoff and Gary Kompkoff, I'll ask Helga to  
25 comment.  
26  
27 MS. EAKON: Gary Oskolkoff notified me well before this  
meeting that he did have a prior commitment; he had a White  
House invitation, so that's where he is at, Washington, D.C.  
And Gary Kompkoff has indeed been planning to attend but at the  
very last moment he sent me a fax; he did not call me, he sent  
me a fax stating that he couldn't attend, "I have several  
33 issues in the villages that will require my presence. I  
34 sincerely apologize to you and the council members for any  
35 inconvenience that my absence may cause."  
36  
37 CHAIRMAN EWAN: Okay. Go ahead.  
38  
39 MR. ROUTE: Thank you.  
40  
41 CHAIRMAN EWAN: Pardon me, but I thought I should let  
42 council members know that.  
43  
44 MR. ROUTE: Oh, that's okay. I'm the wildlife  
biologist at St. Elias, and I'm stepping in here for Jay Wells,  
who is our subsistence coordinator there. He would report on  
47 most of the SRC things that had occurred. I'm not as updated  
48 he is, so if you have any questions you might want to tell  
49 me and I can get with Jay and we can get back to you. Roy Ewan  
50

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1 is on the commission as the chairman, so he's got all of the  
2 information pretty much.

3

4 I guess I could just basically state that some of the  
5 issues that were discussed were a Subsistence Access Study in  
6 Wrangell/St. Elias. The SRC would like to have a study done,  
7 and it's been proposed several times in the past, and they  
8 again wrote a letter to the Secretary of Interior to ask that  
9 study be funded. As far as I know, that has not been -- we  
10 have not received any confirmation from the Secretary of  
11 Interior on that.

12

13 The other issues were waterfowl hunting and in the  
14 park, a hunting plan, and community zones. And as I say, if  
15 there are questions on those things, I can get back to you on  
16.

17

18 Primarily the reason that I came in Jay's absence was  
19 and as Helga stated, was to present to you some information  
20 on the Mentasta caribou herd, and the fact that we are putting  
21 together a cooperative management plan and would like to ask  
22 for your assistance. And so basically I guess first I will  
23 give you a little bit of an update on it, and I'm sure you  
24 probably know most of this, but for those of you who don't, the  
25 Mentasta herd declined starting in about 1987 from a population  
26 of around 3,200 animals to presently around 800. And  
27 subsequently the seasons were closed to both sport and  
28 subsistence. So we're now in a closed situation.

29

30 And when we did close it of course there was concern as  
31 to when it would open -- reopen, under what circumstances. So  
32 we took upon it to create a management plan which would set  
33 down exactly when it would reopen, under what circumstances.  
34 It's a cooperative plan between US Fish & Wildlife Service, at  
35 Bettlin National Wildlife Refuge, Alaska Department of Fish &  
36 Game, both in Tok and in Glennallen, and ourselves. And we  
37 have come up with the biological circumstances under which we  
38 think we could reopen the harvest. And the other additional  
39 item, of course, is then how is that harvest going to be  
40 allocated amongst all the user groups, both sport harvest and  
41 subsistence.

42

43 What we would really like your input in is that  
44 allocation process. Of course since the Mentasta herd resides  
45 during the calving season in the summer, primarily within  
46 national park, we additionally have mandate to keep the  
47 population at a near natural -- not necessarily level, but at  
48 least with the fluctuations in abundance. And so we have to  
49 incorporate that into the process of managing this herd.

50

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1  
2 So the concept that we have come up with as biologists  
3 is to harvest the herd based on recruitment. So as calves are  
4 recruited to the herd, we base our harvest on that. If there's  
5 poor recruitment harvest subsequently goes down. As there's  
6 increased recruitment harvest goes up. And through our  
7 assessment the way that we are proposing to do it, harvest  
8 would be about the same as it has been historically in terms of  
9 total numbers harvested. It would be a little bit different in  
10 terms of during population highs when recruitment goes down,  
11 harvest would go down. During population lows, like it is  
12 currently, if recruitment increases harvest would go up. So it  
13 would track recruitment rather than tracking population highs.  
14 It's just a slight difference.

15  
16 So it would track recruitment rather than tracking  
17 population highs. It's just a slight difference. Go ahead, a  
18 question?

19  
20 CHAIRMAN EWAN: Are you talking about Unit 11 and 12?

21  
22 MR. ROUTE: Yes, the issue, of course, is going to be  
23 with Units 11 and 12. And that deals, of course, with the  
24 allocation process. First of all, it's, you know, how do we  
25 set the quota on what can be harvested annually, and then the  
26 question which when the herd drifts over into Unit 12 during  
27 the winter, how much harvest can occur there as opposed to  
28 harvest in Unit 11 in the fall. So that's really the  
29 allocation question.

30  
31 That's the basic concept of the harvest strategy. Go  
32 ahead, Lee.

33  
34 MR. BASNER: Yes. As I understand it, you are not  
35 interested in increasing the population of the Mentasta herd?

36  
37 MR. ROUTE: As a national park we are interested in  
38 allowing the population to fluctuate as it would naturally. We  
39 are not -- under park policies cannot manipulate populations so  
40 that it increases; we can't do predator control, some of those  
41 things that might be considered a management action under other  
42 circumstances. So it fluctuates as it would naturally. We  
43 need to harvest the population based on its natural  
44 fluctuations.

45  
46 MR. BASNER: Well, I understand that you're not doing  
47 predator control in national park, and -- but if you increase  
48 the take as the recruitment increases, and in fact the  
49 population will never, inside the park, change from what it is  
50

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today, yet it's my understanding that historically the population was much higher. So you are in fact manipulating the size of the herd; is that right?

4

5 MR. ROUTE: Well, if we harvest at a constant rate of recruitment, we feel if recruitment goes up and we're still harvesting at a constant rate of that recruitment, there will be a shut-off at the bottom, and we're not going to harvest it right down into the ground. There will be turnoffs. When it goes down so low and there are so few calves recruited to the population, it would be shut off, as it is now.

12

13 Basically what I'm saying is that harvest would be very similar to historical harvest trends. It would be slightly higher at the bottom and slightly slower at the top. Almost not -- you know, not very different from that historically has occurred. And so it wouldn't be very different, and it's going to be -- it would just be tied to recruitment rather than tying it to population levels, 'cause as the population decreases we obviously reduce harvest. What we would do is reduce harvest based on recruitment rather than population, inter-tied to one another. They're going to be pretty much tracking one another. So the difference is so slight that it's almost imperceptible.

24

25 MR. BASNER: What is the -- what was the harvest last year on the Mentasta herd?

27

28 MR. ROUTE: Closed.

29

30 MR. BASNER: Okay. That brings me to the point then, we've got lots of problems -- I realize you're federal, and the state has lots of problems with so-called wolf control situation and many excuses and reasons for wolf control have been because the Mentasta herd has a very low population, and it would appear to me that you're going to run into a buzz saw. This is sort of out of my area, but nevertheless, being Alaskan and being interested in all of these matters, it would appear to me that the people that are opposed to the taking of wolves in any shape or form are going to jump on this and say, Wingo, this is exactly what we've been talking about. The only reason we're killing wolves is to preserve this small caribou herd which has now dwindled to 800 animals, and yet we're still hunting them and we're going to take all of the recruitment. I don't mean to tell you people your business, I just mean to point out something that kind of jumps out at me as being a real potential problem.

47

48 MR. ROUTE: Well, again, the harvest would not be that different, so we aren't going to continue to harvest the

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population when they're this low. It's shut-off now, and under this scenario, if we adopt it, it would also be closed at this time, simply because there's such low recruitment it would be closed.

5

6 And in terms of predator harvest, there is legal  
harvest of wolves in the same area as the Mentasta herd  
besides. There simply is not, you know, control measures,  
per se. I understand your concerns. Many of the caribou herds  
in Alaska have declined to the same extent or in the same type  
of time frame as the Mentasta herd.

12

13 MR. LOHSE: I have a question.

14

15 CHAIRMAN EWAN: Go ahead.

16

17 MR. LOHSE: Yeah, Bill, a couple questions, and one of  
them you just answered, and that's -- I could see that question  
coming up. Basically you have set a threshold that you want --  
to mean that's part of the plan. You're not instantly going  
into harvest, you're going to harvest when the herd reaches a  
certain threshold which you evidently have come up with an idea  
of where that threshold should be.

24

25 Now when you're talking recruitment are you strictly  
talking calf recruitment or are you talking recruitment in the  
herd? Let's say we have 300 calves -- I mean I'm just throwing  
numbers out -- we have 300 calves, 250 of them make it, but  
you've lost 150 adult members in the course of the year. Do  
you take your recruitment after you take the gain in calves  
versus the loss in adults, or are you just taking your calf  
recruitment?

33

34 MR. ROUTE: It would just be based on calf recruitment.

35

36 MR. LOHSE: Even if you were losing at the top end,  
let's say we were having adult mortality that was fairly high  
for some reason or another. If you had a good calf crop you're  
basing it on the fact that you don't have a good calf crop  
unless you've got adults.

41

42 MR. ROUTE: That's right.

43

44 MR. LOHSE: But you could have something happen in the  
course of a winter that you would lose a bunch of adults but  
you had a good calf recruitment the year before and end up  
having hunting season on top of it.

48

49 MR. ROUTE: That's right. The thing is fairly -- it's

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fairly tedious to go through all of the shut-offs and turn-ons that we have developed. And I guess I wanted to present a concept to you folks and then I wanted to invite to you and have at least one member sit down with us and really go through everything precisely as we have it laid out before we adopt anything.

7

8 So if you really want me to explain it all, I certainly can, and am prepared to do so. What we thought we would do is ask you to have a member come and sit down in a working group with us, and also the Eastern Interior Council, a member from the SRC and a member from each of the LACs, the state advisories, sit down with us, have a working group meeting where we can really go through all of this process. So I wanted to give you the concept today and then invite you to come to a meeting to interact at a greater level. But I can answer your questions if you would like. I certainly can; I don't want to avoid those at all.

19

20 I guess all I can say is that what we're basing it on is recruitment, and the process that we've gone through as biologists is to look at how population decline would then cause a decline in recruitment. So it's tied to a population decline. If you have a decline in the population you have a decline in the cows, therefore you have a decline in recruitment. So we're banking on that as being our shut-off. We've passed this along to many biologists, including people on the US Fish & Wildlife Service staff with Subsistence, spent a year given at a meeting of the Wildlife Society in Albuquerque, New Mexico. It's been presented to many biologists in Fish & Game. Everybody has looked at this for its integrity as a way of managing the herd, and we've gotten very good comments on it, and, again, I think it has adequate shut-off to protect the herd. But to allow us to harvest it within natural -- within National Park Service policies of allowing it to fluctuate as it would naturally. That's what our whole purpose is.

37

38 Again, Ralph.

39

40 MR. LOHSE: Is your percentage of harvest then going to change as the population changes? Like you're going to base your percentage on recruitment, but is that also a fluctuating percentage or are you like setting 4% of recruitment or 6% of recruitment, and having that kind of -- that way your herd would fluctuate at that level all the way through, but as your population dropped, you really can't afford to take the same percentage that you could take if you had a higher population, because your drop would -- you would speed your drop off.

49

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1 MR. ROUTE: Actually it would be a constant rate.

2

3 MR. LOHSE: It would be a constant rate?

4

5 MR. ROUTE: It would be a constant rate, and -- but of  
6 course the actual harvest would decline, and if you then took a  
7 look at that harvest quota and saw what percentage of the herd  
8 it was, it would probably decline. But it would be a constant  
9 rate of recruitment. That's what we would be attempting

10 .....

11

12 MR. LOHSE: It would be a constant rate of recruitment?

13

14 MR. ROUTE: Right.

15

16 MR. LOHSE: But don't you think -- this is -- don't you  
17 think though that if you have a constant percentage a -- let's  
18 just say if we have a thousand animals -- let's say we have 200  
19 recruitment, the constant -- and you have a percentage of 4%,  
20 you're taking eight animals. But when you're taking -- when  
21 you have a gain of 800 animals, you're taking 32 of 'em this  
22 percentage is the same, but with the 800 recruitment it can  
23 make the impact where the 200 recruitment can't. That's what I  
24 was wondering, if your percentage remains the same you're going  
25 to speed up your decline when you're at the low end unless you  
26 have shut-offs in there, that type of thing.

27

28 MR. ROUTE: It does have a shut-off, however, the  
29 intent is to not influence it. So a constant rate -- if you  
30 really think about it, a constant rate would be the least  
31 amount of influence. So if you're tracking recruitment and it  
32 is declining, you are always taking a constant rate of  
33 recruitment. Then your net recruitment to the population is  
34 going to be a constant all of the time, a constant rate.

35

36 CHAIRMAN EWAN: Bill, I want to make a comment real  
37 quick-like. I'm from the Copper River area, you know, and I  
38 think we all would say that we have a lot of interest in what  
39 you're trying to accomplish here, and you'll see here by your  
40 comments. I would like to comment further. I'd like to take a  
41 coffee break in a little while, after Lee asks a question,  
42 okay?

43

44 MR. ROUTE: Sure.

45

46 CHAIRMAN EWAN: I do have some comments. I have a lot  
47 interest in what you're talking about.

48

49 MR. ROUTE: You bet.

50

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1  
2 MR. BASNER: My question is -- and I want to assure you  
3 once again, I don't want to be perceived as trying to tell you  
4 people, you experts, how to do your jobs. But I know the area,  
5 I know the Mentasta herd wanders in and out of the park onto  
6 state land. We have the state, John Morrison here, and I  
7 wonder what the state's approach is to management of the herd,  
8 and when your Mentasta caribou herd wanders across an imaginary  
9 line on the ground, he becomes instant -- an instant target for  
10 Nebesna (sic) caribou herd hunters. And have you had a chance,  
11 or are we too early in the process for you to coordinate with  
12 the state at this point?

13  
14 MR. ROUTE: Oh, no, it's very well coordinated. This  
15 is a cooperative management plan that has been written, and  
16 we've had several working meetings with state biologists and  
17 Fish & Wildlife Service biologists. I just came from one with  
18 managers in Tok with both Tetlin National Wildlife Refuge and  
19 Craig Gardner from Alaska Department of Fish & Game. We've  
20 talked with Ken Pitcher, the original coordinator, down in  
21 Anchorage; Bob Tobey, you know, next door to us, and we've all  
22 discussed this thing at length. So it has been coordinated in  
23 terms of the biologists talking about it.

24  
25 And so what we have done is develop the plan which we  
26 feel comfortable with as biologists, and now we want to present  
27 it to you folks and sit down with you, go through it and talk  
28 about not only the harvest strategy but then after that what is  
29 how are we going to divvy up the pie, in terms of when it  
30 does go off of Park Service lands and onto state lands and  
31 such. It's a cooperative -- you know, it's a cooperative  
32 thing, and it includes, actually, biologists from Canada also,  
33 because in the wintertime they do cross the border over into  
34 Canada. So it's a totally cooperative type of management plan.

35  
36 MR. BASNER: Okay, thank you. And I think I misspoke.  
37 I think I said the Nebesna herd; I meant Nelchina.

38  
39 MR. ROUTE: Yeah. That is the biggest complication.

40  
41 CHAIRMAN EWAN: Do you mind continuing after we take a  
42 quick break?

43  
44 MR. ROUTE: I certainly don't.

45  
46 CHAIRMAN EWAN: We'll take a quick coffee break. A lot  
47 of us have traveled down from Anchorage and we'd like to have  
48 some coffee.

49  
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1 (Off record)

2 (On record)

3

4 CHAIRMAN EWAN: I'm going to get closer to the mike. I understand a lot of people in the audience can't hear what we're saying up here, so I would ask all the council members and all the speakers get close to your mike and maybe speak up a little bit so the audience can hear here. All they see is our lips moving and we're moving around up here but they can't hear anything back there.

11

12 Bill, we'll get back to you on the Wrangell/St. Elias Park report. Do you want to continue?

14

15 MR. ROUTE: Thank you, Mr. Chairman. I guess by way of continuing what I was going to say, like I said earlier, I wanted to give you the concept and then invite this council to interact with us closer on the whole thing, and that member could then, as we see it, perhaps go back to the council with -- you know, with more intimate knowledge of what's going on.

21

22 And what we envision would -- like I said before, we'd envision having the member from this council, from the Eastern Interior Council, which would then incorporate the concerns of people in Unit 12 and that area, and also the Subsistence Resource Commission for Wrangell/St. Elias National Park, realizing that there are some members that are on both, but it might be more appropriate to have another member who isn't a member of both. That way we would have three persons from the federal subsistence process and three from the state process. And we could get together in a working group and talk this thing through and talk through the allocation procedures and such. And then we would have as a part of that plan then, it's a cooperative plan that would be signed off on by managers from Fish & Game, from the US Fish & Wildlife Service, and from the National Parks Service. And then endorsed by or not endorsed by all of those groups, so they would then have the chance to either endorse or to not endorse it and state why.

39

40 And so that's really all I had. I really wanted to invite you to that, and then we could sit down in closer quarters and talk about it. But I will entertain any other questions you have at this time.

44

45 CHAIRMAN EWAN: I do have one quick question. That is when you decide to close, how do you notify the public? It seemed to me like this year was kind of a surprise to me that it was -- Unit 11 was closed. I didn't know about that till my wife called about a permit over -- over in Wilson -- over there

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in the Wilson Moose Camp. How do you decide or when do you decide? Do you have -- you don't have any publication -- regular publication or anything going out. I just wondered how you do that.

5

6 MR. ROUTE: Well, the season and bag limit, of course,  
7s in the Federal Regulation book, and it was closed in the  
8 previous year and just not reopened. And of -- the population  
9 has been so low that I guess it was not proposed by anybody to  
10 open it, from either the public or any agency had proposed  
11 reopening it. So there was no proposal before anybody to act  
12 on to reopen it, and we certainly did not support a reopening  
13 of it because it was so low. And even under this proposed  
14 method of harvest, the recruitment is so low that we would not  
15 propose reopening it.

16

17 So to just answer your question, there's no proposal in  
18 front of anybody to reopen what had already been a closed  
19 season.

20

21 CHAIRMAN EWAN: Okay. Any other questions, comments?

22

23 MR. LOHSE: Yeah. I'd just like to say -- the little  
24 talk I had with you, Bill. There's a couple things that I  
25 think you should -- to kind of clarify things up you should  
26 talk about; the fact that this is something that possibly will  
27 come on line the next two or three years because of the gain in  
28 recruitment that you're having now, and what kind of percentage  
29 you're talking about and what kind of a harvest you're talking  
30 about that we have an idea of. You know, how many animals  
31 you're actually talking about allocating.

32

33 MR. ROUTE: Okay. Thanks, Ralph. It's hard to say,  
34 you know, when things would be reopened because we really can't  
35 project into the future. So we don't know if we're at the  
36 bottom of this population decline or whether we're starting an  
37 increase or not. We had a fairly decent -- well, an increase  
38 in recruitment this year from the past four years. Eleven  
39 calves per 100 cows as opposed to, in the past four years, two  
40 and three and five calves per 100 cows. It's not a real good  
41 half crop yet. Hopefully -- maybe it's a turnaround. If  
42 things improve what we're -- what this strategy would lay out  
43 a harvest of between 15 and 20% of recruitment, and so as  
44 half crops increase, as we get, you know, up to 100, 110, 120  
45 calves in the herd, then we would harvest based on that 15 to  
46 20% of that recruitment. So we're talking getting up in --  
47 we're talking starting off with quotas of 15, 20, 30, like  
48 that.

49

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1           So if things turnaround, if it does start to increase  
 2 and we start getting a good recruitment in the next three --  
 3 two, three, four years, we're talking about those types of  
 4 quotas. And, you know, when the thing started to -- when the  
 5 population started declining it had been harvests of, you know,  
 6 historical -- at some point in the past when there was a high  
 7 population in the late '80s there was quotas -- or there was  
 8 harvests of 100, you know, 80, 90 caribou and such, but then as  
 9 it started to decrease to where they had quotas at 50 and then  
 10 30, and then of course it was closed. So it would basically  
 11 follow the same type of a pattern where it would start to  
 12 harvest again at 20, 30, and increase that way.

13

14           Is there another point that you wanted clarification  
 15 of? It would be based on a running average so we wouldn't be  
 16 jumping around all over the map; it would be based on a running  
 17 average of recruitment. So if one year you had a jump in  
 18 recruitment it wouldn't immediately cause an increase in  
 19 harvest, it would be based on the previous two years of  
 20 recruitment.

21

22           MR. LOHSE: Yeah, Bill, that was one of the things, I'm  
 23 glad you brought that up. The other thing, I think, that the  
 24 council would probably interested in is the fact that it's on  
 25 calves that have survived until fall. It's a recruitment of  
 26 calves going through the winter, not calves that were born.  
 27 And the other is the fact that it would also have -- it would  
 28 have leeway for natural disasters; say a hard winter or  
 29 something on that order that would be capable of adjusting it.

30

31           MR. ROUTE: That's right. In many ways it helps to  
 32 weatherproof the herd, so to speak, because if you do have high  
 33 predation on adults, cows, or if you have significant losses  
 34 from predation right after spring calving, it reflects itself  
 35 in the recruitment, and so subsequently the harvest would drop  
 36 off because recruitment has dropped off. On the other hand if  
 37 you have good winters, good seasons, you have a substantial cow  
 38 base, then the harvest would increase because recruitment would  
 39 increase.

40

41           I guess what we're really asking here is that you  
 42 point or talk about and maybe later talk to me, having one  
 43 person sit with us at this working group, or if you suggest you  
 44 would elect to do otherwise, to discuss that with us. You're  
 45 really the first ones that we have discussed this with, so  
 46 we're looking to see how you would like to interact with us on  
 47 this.

48

49

50

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1 CHAIRMAN EWAN: All right. Any other questions,  
2 comments? Thank you very much. As far as your request at the  
3 very end there, I think we do have an interest -- I have an  
4 interest, but I don't have that much time to be on an advisory  
5 board and be an effective member because I'm traveling so much.  
6 Is there any other member here interested in serving on an  
7 advisory committee?

8  
9 MR. LOHSE: I was kind of looking at this, but, you  
10 know, what you actually need is you need somebody from up in  
11 that area, because the real crux of the question is going to be  
12 when it opens who gets these eight or 10 or 12 or 15 caribou,  
13 and that's where you need somebody from that -- you know,  
14 that's actually intimately associated with that area there.  
15 I'm real interested in the biological part of it, but I don't  
16 understand the communities as well as somebody that would be  
17 right there.

18  
19 MR. ROUTE: Yes, you're correct. That is really the  
20 input that we're seeking is to -- how we're going to allocate  
21 this quota in the future, and it would be nice to have someone  
22 from that area who has a direct tie to it.

23  
24 CHAIRMAN EWAN: Let me commit then that I will -- I'll  
25 help you there.

26  
27 MR. ROUTE: Well, what we could do, Roy, is we  
28 could .....

29  
30 CHAIRMAN EWAN: I think -- you have an office right  
31 there centrally located and we can surely have a meeting and  
32 bring in people to give you some information.

33  
34 MR. ROUTE: And also we would be willing to work with  
35 you in terms of if it's difficult for you to make a meeting, if  
36 everybody decided that we need to have a sit-down meeting and  
37 it's difficult for you to make, we could perhaps go to you  
38 beforehand and find out your concerns if you wish, or we could  
39 do it by fax or conference call or something like that. So we  
40 can work with you on trying to get your input.

41  
42 CHAIRMAN EWAN: Okay, I'll commit to helping you.

43  
44 MR. ROUTE: Thank you.

45  
46 CHAIRMAN EWAN: Okay, the next item on the agenda is  
47 item number 4. Before that somebody wanted to talk about Sue -  
48 what's her name -- Entsminger's letter or something?

49  
50

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1 MS. EAKON: Mr. Chair, in reading Sue Entsminger's  
2 letter, it speaks more to C & in Upper Tanana, so with your  
3 indulgence, I would like to read it .....

4  
5 CHAIRMAN EWAN: Later?

6  
7 MS. EAKON: ..... when we come to agenda item 7. E.

8  
9 CHAIRMAN EWAN: Okay. The next item then will be  
10 Chugach National Forest, Steve Zemke.

11  
12 MR. ZEMKE: Thank you very much. We're probably  
13 looking at shifting gears a little bit in that the Chugach we  
14 have both regulatory or harvest issues, and you'll probably see  
15 later in the agenda we'll be talking about one specific harvest  
16 issue, which would be a emergency closure for mountain goats,  
17 which Robert Willis is going to present. But the other issue  
18 that we're dealing with is probably land management practices  
19 and the implications it would have on wildlife habitat  
20 capabilities and subsequent subsistence harvests.

21  
22 So looking at this, I gave you a small package here,  
23 and the first part it just shows Table 1, it's got Unit 6 in  
24 it. It basically gives some background information on mountain  
25 goats within Prince William Sound, which is Unit 6, and this is  
26 currently our primary regulatory or harvest issue. It's  
27 problematic.

28  
29 We've had a -- two years ago we had an emergency  
30 closure proposal to come before the council and then before the  
31 board, and it was passed and now we're going to have another  
32 one this time. So it's going to occur over and over again.  
33 And in this regard we're looking at trying to develop a more  
34 comprehensive proposal that would deal with larger areas rather  
35 than individual goat areas and take a look at habitat  
36 capability modeling, the amount -- current population levels,  
37 the, if you will, surplus animals that are available to  
38 harvest, and then establishing a quota off of that over a  
39 larger area. And then being able to tweak that, if you would,  
40 individual goat hunting areas based on a August or late  
41 September aerial survey, which occurs.

42  
43 And this is one of the problematic areas in that we  
44 really don't know the current level of the populations until  
45 August. The regulations are developed in the spring of that  
46 year, they're codified and printed in your big book by June,  
47 and so if there needs to be any kind of modification of those  
48 regulations, then it has to go through an emergency rule making  
49 process. And if it's an emergency population level where it --  
50

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such as we have here where really the population can't stand any hunting harvests at all, well, this process we're going through right now probably takes a minimum one month, possibly two months to be able to affect an emergency closure.

5

6 So I guess the overall proposal, I guess it's similar to the Mentasta herd, is as we develop this process and regulation proposal that we involve the council as an active member so that those individual subsistence needs are heard also, as well as the biological needs. And so I guess I'm going to be casting around individuals from the council that would be willing to take -- work with Dan Logan, the Cordova Wildlife biologist, concerning our habitat capability modeler and supervisor's office, and probably Roy Nolan, with the Alaska Department of Fish & Game. I guess you don't need to make a decision right now, but at the same time I would like to solicit a person that would be interested in that.

18

19 Are there any questions?

20

21 CHAIRMAN EWAN: Yeah, are there any questions of -- about the goats? I do have a question about the Moose Pass Forest Health project. Could you comment about that a little bit?

25

26 MR. ZEMKE: Well, we're not -- right now I'm just talking about the goats. I'm going to move on and .....

28

29 CHAIRMAN EWAN: Will you get down to that?

30

31 MR. ZEMKE: Yeah, the three other items we're talking about next would be the actual land management planning programs that are .....

34

35 CHAIRMAN EWAN: I just want to comment that from the Copper River area we have no knowledge of people hunting goat - Native people I'm talking about. So really goats are not too big a concern. I think it's more in Ralph's area.

39

40 Ralph, your people probably hunt a lot of goat?

41

42 MR. LOHSE: Yeah, Steve, what I was going to ask you was -- we'll cover most of this when we get down to the proposal. We'll go through the information and the statistics and everything when we get down to the 94-11. Is that -- we're going to handle your proposal to change this year later on on the agenda.

48

49 MR. ZEMKE: Yes, that's correct.

50

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1  
2 MR. LOHSE: So we could actually put most of the goat  
3 information off until then.

4  
5 MR. ZEMKE: Yes. This is basically a background for  
6 the whole area and maybe try and take a look at a different way  
7 of doing things in the future rather than deal with these  
8 situations of emergency closures every year, after a summertime  
9 aerial survey.

10  
11 MR. LOHSE: Yeah. What I was thinking is we can  
12 discuss those kind of options while we discuss -- when we  
13 actually get on the goats that we're going to have to be  
14 dealing with before the emergency closure.

15  
16 MR. ZEMKE: Okay, that sounds like a find idea. The  
17 three other areas we're looking at is one is a Chugach Forest  
18 Plan Revision, and you're looking at the second page.  
19 Essentially this would be a full scale revision of the Chugach  
20 Land Management Plan, and it's kind of broad, general  
21 information.

22  
23 A land management plan is basically an allocation  
24 document. It doesn't talk about specific projects you're going  
25 to do, this -- clear-cut here or this moose restoration project  
26 over here; it talks about general capabilities of the land, and  
27 then it deals with them in -- almost like a permitting activity  
28 where certain land bases would be available for certain types  
29 of activities, such as commercial timber harvest or major  
30 recreation facilities or road corridor development or  
31 wilderness areas. And noting that this time scale we have here  
32 is very draft, there's a lot of things that could be involved,  
33 but essentially it's anywhere, about a three-year process,  
34 going from initial identification of the purpose and need of  
35 the plan to a final environmental impact statement.

36  
37 And we would like the Southcentral Council to be  
38 involved with all steps and stages of the plan. Certainly it's  
39 probably the most important planning document that will occur  
40 in the forest.

41  
42 Now, realizing it's a three-year time frame and, you  
43 know, some of you may be cycling through as members, but at the  
44 same time I guess having a cohesive recommendations from the  
45 council would certainly help our planning efforts. So I guess  
46 with that we're going to make sure that Southcentral Council is  
47 involved in each one of those steps and receives each one of  
48 the mailings.

49  
50

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1 I don't know if you've ever seen some of the documents  
 2 the Forest Service prepares. You may not think that's such a  
 3 good idea, particularly when they come in in pounds rather than  
 4 the pages. But really some of the major milestones is kind of  
 5 identifying the purpose and need. Some of those would be the  
 6 major subsistence issues that you guys feel would be pertinent  
 7 to the Chugach land base. Obviously, mountain goats are one,  
 8 you know, and we're dealing with Kenai customary and  
 9 traditional, some of that will set some sideboards, but at the  
 10 same time there may be some new emerging issues that you feel  
 11 are very important, and those need to be heard.

12  
 13 So take a look at the time frame and as this thing  
 14 evolves and becomes more set in actuality and actual dates,  
 15 we'll make sure that you're involved. I'm not exactly sure of  
 16 the best way to do that, whether it would be to mail to Helga  
 17 and she could distribute out to the council. So we'll try to  
 18 do that.

19  
 20 I guess the next thing we have -- go ahead.

21  
 22 CHAIRMAN EWAN: Your process a little bit, are you  
 23 going to the communities at all? Are you going to .....

24  
 25 MR. ZEMKE: Yes. There should be working groups  
 26 established right at the start of the process to identify  
 27 issues that are on the national forest, and then after that,  
 28 particularly an alternative development .....

29  
 30 CHAIRMAN EWAN: Geographically how big of an area are  
 31 you talking about?

32  
 33 MR. ZEMKE: The Chugach is about 7 million acres. It  
 34 deals with the eastern Kenai Peninsula, east of the Russian  
 35 River, over to Whittier, and then Prince William Sound.

36  
 37 CHAIRMAN EWAN: Okay. The reason I asked that is a lot  
 38 of us are outside that area you're talking about, so probably  
 39 Ralph is .....

40  
 41 MR. ZEMKE: Directly involved would be Ben and Ralph  
 42 and Gary. But at the same time I think -- at times it helps to  
 43 have an outside perspective to where you may be able to provide  
 44 some perspective that the people that aren't intimately  
 45 involved with the day-to-days would have.

46  
 47 The next thing we have is the Moose Pass Forest Health  
 48 Project. This is a cooperative project with the State of  
 49 Alaska. In fact much of the activities that are proposed are on  
 50

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state lands rather than on Forest lands. A lot of it is in regard to spruce bark beetle infestation and trying to deal with those issues. Currently, there's a draft Environmental Assessment being completed. It's hopefully going to be out by the end of October, and it will be out for review. I guess this will be a time for the council to take a look at that and maybe if you feel it's pertinent, make a recommendation on which alternative you think is most viable in regards to subsistence.

10

11 Looking at the summary table at the bottom of the Moose Pass Forest Health Project there's currently six alternatives ranging from not action, which is Alternative 1. There's no treatment to -- Alternative 5 is kind of the maximum treatment. It's of 12,000 acres of which only about 300 are clear-cut. Much of it is prescribed burning, maybe some group selection, salvage cuts, and then also thinnings and other activities. When you get the draft environmental assessment it will break these figures out in quite a bit of detail.

20

21 The map I gave you is just kind of informational, just to be able to allow you to understand the scope of what's being dealt with. But, again, the draft will be out at the end of October and there should be a 30-day review period and comment period, and that will be a time that you would probably need to take a look at that and get your comments in.

27

28 CHAIRMAN EWAN: Where is that?

29

30 MR. ZEMKE: It's right in the heart of the Kenai Peninsula. The big lake you see there is Kenai Lake, which is between Seward and Cooper Landing.

33

34 MR. BASNER: Yeah, I'm not at all familiar with this particular problem. You have a no treatment option. What happens if no treatment is given the trees, the beetles or whatever?

38

39 MR. ZEMKE: Within those areas there wouldn't be -- some of the treatment areas that are currently affected may affect other areas. As the beetles hatch and fly certain areas the spruce -- they're almost completely -- were closed spruce stands. Those were dying out, and there's what's called kind of a (indiscernible), this is a pine grass understory (ph) and it's being released, and it's sod forming and understorying, there is no regeneration, so there's no trees, and so it's just open grass stands being -- replacing the old spruce tree stands. So there's a whole variety of what could happen.

49

50

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1 MR. BASNER: In other parts of the United States or  
2 other parts of the world even, is this a -- has it been studied  
3 or is this a peculiar problem to the Kenai Peninsula?

4  
5 MR. ZEMKE: No, the spruce bark beetle epidemic is --  
6 it's actually epidemic worldwide. Interior Alaska there's  
7 several hundreds of thousands of acres also infected. The  
8 State's dealing with some of the same issues down in the lower  
9 Kenai Peninsula. There's quite a bit of proposed timber  
10 harvest down there to deal with the spruce bark beetles there.

11  
12 MR. BASNER: Is this a recent phenomenon historically  
13 speaking or is it .....

14  
15 MR. ZEMKE: No, they're cyclic. One of the things that  
16 set up the bark beetle attack recently has been some very  
17 dry summers, spruce becomes stressed, the beetles are able  
18 to actually kill the trees, whereas if you have a -- say a  
19 normal, wet Alaskan summer the trees produce enough sap that  
20 they actually kick the beetles out as they infect the tree. So  
21 but it's cyclic. It's relatively -- it would be a natural  
22 phenomenon of the cycle, though it's been exacerbated by  
23 certain management activities of home building, urban  
24 encroachment. Any time that trees are harvested, cut, maybe  
25 piled for a long time, provide a prime breeding area for bark  
26 beetles. They reach high levels and then they fly from there,  
27 and then if conditions are conducive for further development,  
28 then they just keep on expanding. And so on the Kenai, I think  
29 around Cooper Landing, Moose Pass, down Ninilchik area, those  
30 areas where those conditions have been created, and then there  
31 was several summers where there was this dry weather condition  
32 that was conducive for bark beetle breeding that it expanded  
33 greatly, and each time it expands it is geometric if the  
34 conditions are right.

35  
36 CHAIRMAN EWAN: I have a question. On your proposed  
37 treatment number -- I mean Alternative 5, you're proposing a  
38 various types of treatment, right? Or .....

39  
40 MR. ZEMKE: It would be .....

41  
42 CHAIRMAN EWAN: ..... (indiscernible - interrupted)  
43 Peaks and so on?

44  
45 MR. ZEMKE: Yeah, it would be quite comprehensive  
46 treatment.

47  
48 CHAIRMAN EWAN: Yeah.

49  
50

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1 MR. ZEMKE: It's probably the most aggressive .....

2

3 CHAIRMAN EWAN: How effective can you be there doing  
Alternative 5?

5

6 MR. ZEMKE: Whether or not that would stop the beetle  
outbreak, I'm not an expert of that so I probably couldn't tell  
you. It may or may not. I guess that's one of the things you  
need to do is when the document is out you need to be able to  
take a look at the assessments that are done there and then --  
and there should be some risk assessment in dealing with each  
one of those alternatives.

13

14 CHAIRMAN EWAN: I would like to see something done  
about the spruce beetle, but probably on a larger scale than  
what you're talking about here.

17

18 MR. ZEMKE: Yeah, this is 12,000 acres. On the Kenai,  
I don't know exactly what the figures are, but it's in the  
hundreds of thousands of acres that it's currently infected.  
This is a cooperative project between the state, private and  
the Forest Service, and I guess it's -- what it's doing is  
setting up a, if you would, a model to try to deal with some of  
the problems that are associated with the bark beetle outbreak.

25

26 CHAIRMAN EWAN: Okay.

27

28 MR. LOHSE: Steve, now is this -- this says it's a  
forest health project. Basically this isn't being set up to  
create game habitat, this is basically to try to deal with  
spruce bark beetle. You know, spruce bark beetle basically  
affects mature forests or mature spruce stands. What is the  
long-term impact on game by having the spruce bark beetle go  
by? I mean you said it's cyclic. It's one way to take care of  
mature forests so that they become immature forests which  
produces more gain, for lack of a better way of putting it. Is  
are we trying to stop something we can't stop, and what  
we're going to do, is it going to have a detrimental or a  
positive effect on game habitat?

40

41 MR. ZEMKE: That's why Alternative 1 is there, for one  
reason is to establish the side board or control to take a look  
at and see. Yeah, the answer is yes, that there's going to be  
positive and negative impacts to wildlife in any of the  
treatments or no treatment. Certain things -- it may be if a  
prescribed burning and suitable moose habitat is favored in one  
of the alternatives, then obviously there would be increased  
habitat capability for moose. So -- but at the same time, say  
avity nesters, if you're burning the spruce snags, then they

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may become less desirable for cavity nesters, and so those would be reduced. How many people eat woodpeckers? But I guess there are people concerned with the overall viability of the ecosystem out there.

5

6 I guess that's one of the other things, too. Some of these favor certain themes over another. Forest Service, as well as the state, are starting to look more at ecosystem management and try to deal with overall health of the ecosystem, and so maybe ecosystem health project might be more suitable. Some of the things is that we probably don't -- dealing with ecosystems are complex webs and we don't really know all the linkages, so we can only guess what the end results are going to be, or make assumptions based on past treatments and similar ecosystems or at least those portions of the components that have been dealt with. So that's why taking a look at this, you go from conservative approach, all the way to maybe Alternative 5 might be looked at as an aggressive approach at trying to deal with alteration of ecosystems and designing outcomes more favorable to what we think our -- or what the desired outcomes are.

22

23 MR. BASNER: Yeah, but it's not very aggressive at 24,000 acres when you're dealing with 100,000.

25

26 MR. ZEMKE: Yeah. But within the scope of this project, yeah, we're not looking at the whole of the Kenai Peninsula, but within that project area it's the more aggressive approach, looking at -- you know, again, not dealing with 100% of the acres, but it's dealing with quite a few of the infected spruce stands, and so other examples, and there are hemlock stands adjacent to those spruce stands, and normally looking at the needs for maintenance, a certain old growth habitat, those would usually be maintained where a spruce stand that's infected, and maybe the old growth trees within that stand are dying and going out of the stand, those are the ones to be treated. And I guess some of the other treatment levels where maybe 50% of the stand is infected, maybe one alternative, we'll just leave that alone. Another one that's more aggressive would go on in and do salvage on those trees that are infected.

42

43 MR. LOHSE: Now do you look at this as kind of an experimental project? I mean are you actually trying to treat something or are you trying to learn something out of this?

46

47 MR. ZEMKE: No. It's an operational project, but at the same time it's a prototype, so -- yeah, timber stand treatments have been -- or forest stand treatments have been

50

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around for a long time now. I guess the idea is to take a look more at a comprehensive area rather than Forest Service in the past has looked at an intervential (ph) timber sale area and they said, well, we need to get 10 million board feet and then that was the primary purpose of the action. Whereas this is more taking a look at the desired future output of what we'd like -- desire within the Moose Pass area and try to design different alternatives to meet those desired future conditions.

9

10 CHAIRMAN EWAN: Any other questions or comments?  
That's it.

12

13 MR. ZEMKE: No other questions. Okay. The final thing we have here is the Whittier Road. This isn't a Forest Service project, it's a State of Alaska and Federal Highway -- Transportation -- Department of Transportation program. The first page there shows the four alternatives that are being considered. One is no action, two is basically retrofitting the tunnel to -- which is a railroad link from the Seward/Anchorage railroad over to Whittier, which is in the western side of Prince William Sound. Currently there is a rail service that's used to get passengers and vehicles over to Whittier, to and from. There's about 200,000 people or visitors going to Whittier each year on that rail. Then there's Alternative 3 and 4 which are essentially road options which they would retrofit the rails and the tunnels so there would be a drivable surface, and you could drive to Whittier.

28

29 The projections they have are there's 1.4 million people would be going to Whittier by the year 2030, which is a fairly significant increase. I guess you may want to take a look at that document and see whether you think that -- they're looking at decisions, what the impact of what 1.4 million people on subsistence resources in the sound would be. You may have some ideas on that.

36

37 I guess that's all I have to say about that.

38

39 CHAIRMAN EWAN: Okay. Thank you. Any questions or comments on his report? If not, thank you very much.

41

42 What do we want to do now, take a break now for our lunch or continue? Okay, I guess the council members want to take a break. We'll take how long a break, Helga?

45

46 (Off record comments)

47

48 CHAIRMAN EWAN: Okay, we'll reconvene at 1:30. We'll recess for now.

50

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1  
2 (Off record)  
3 (On record)  
4

5 CHAIRMAN EWAN: All right. I will call the meeting  
back to order. The next item on the agenda is the Kenai  
Peninsula National Wildlife Refuge; Mark Chase. Mark, are you  
here?

9  
10 MR. CHASE: Yeah, my name is Mark Chase, from the Kenai  
National Wildlife Refuge, and as you all are probably aware,  
we've had fairly peripheral involvement with subsistence up to  
this point because of the ongoing customary and traditional use  
determinations. We're involved in that process now, working  
through our Office of Subsistence Management in kind of an  
advisory capacity on -- in working through that process. That  
certainly could have a -- change the way we do business in a  
lot of ways, depending on the outcome of those, and really up  
to this point that's been our extent of involvement in the  
subsistence process itself.

21  
22 There's maybe some things of interest that we're doing  
at the refuge, but next year we're kicking off a pretty  
comprehensive brown bear study with the Alaska Department of  
Fish & Game and the US Forest Service, assessing the Kenai  
Peninsula brown bear population.

27  
28 There's -- we have a cooperative caribou management  
plan for the five small herds of caribou that inhabit the  
different areas of the peninsula. That really doesn't address  
allocation issues because in the past it hasn't been an issue.  
Now depending on the outcome of the C & T determinations next  
spring, then that may certainly change.

34  
35 I really don't have a lot of other things to add of  
what's going on subsistence related. I would answer any  
questions that you have about any pending things or thrusts or  
priorities that we have at the refuge.

39  
40 CHAIRMAN EWAN: Are there any questions of Mr. Chase?  
How is the work with the C & T going along with it -- are you  
working with the communities or how are you going about that?

43  
44 MR. CHASE: We're working through our Office of  
Subsistence Management; we're working through the Subsistence  
Management Office in Anchorage, and the -- I don't know, Helga  
or Robert -- who has the lead? Okay, right there. So our role  
-- I think we're not driving the process, we're more of an  
advisory role. We do have -- one thing that you were talking  
50

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about earlier, the spruce bark beetles, we have a project going on on the refuge, an ongoing project on fire history and spruce bark beetle history for the -- more or less peninsula wide, where our fire ecologist, Ed Berg, at the refuge, is studying historic outbreak patterns of fire and spruce bark beetle across the peninsula. And that should provide some real interesting history over the last couple hundred years on spruce bark beetle outbreaks and fire patterns.

9  
10 CHAIRMAN EWAN: Can you give us a little insight on what you've come up with, what you've found out on that?

12  
13 MR. CHASE: I don't know, I .....

14  
15 CHAIRMAN EWAN: I'm interested because spruce bark beetles really have infested the Copper River Basin, and I'm real interested in whatever can be done to stop the spread of the beetles killing the forest.

19  
20 MR. CHASE: I'm not the one to ask on that 'cause I haven't been directly involved.

22  
23 CHAIRMAN EWAN: I guess my question is has fire -- has that slowed them down or did it help?

25  
26 MR. CHASE: I don't know. There's still debate on whether or not fire was a naturally controlling, significant force in the historic forest and habitat status of the Kenai, and so that -- you know, there's not a lot of agreement amongst the experts on just the role that fire has had. So, hopefully, this study is going to answer some of that.

32  
33 MR. LOHSE: Mark, I was just kind of looking at the map right here. Do I see kind of right that all of the communities are actually out of the refuge -- but the refuge is kind of in back of the -- the refuge pretty much takes up the space of the middle of Kenai, most communities are outside of the refuge instead of right in it proper?

39  
40 MR. CHASE: Right. Right, the Kenai Refuge has no communities within the boundaries of the refuge; they are all -- they're all in close proximity: Cooper Landing, Sterling, Soldotna, and Nikiski, but there are none within the boundaries of the refuge.

45  
46 CHAIRMAN EWAN: If there are no other questions, thank you very much.

48  
49 The next item is BLM, Mike Coffeen. I guess he's  
50

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unable to attend. Helga, are you going to read his letter or fax or something?

3

4 MS. EAKON: Yes. Mike Coffeen was unable to attend because he was in the middle of a budget crisis there at the Glennallen Bureau of Land Management Office. He did fax a report that he wants me to read into the record. So please bear with me; it's a two-page report. And for the members of the public there are copies here, if someone would like to come up and distribute them.

11

12 This is dated October 5, 1994, from Michael P. Coffeen, Glennallen District Team, Wildlife Biologist. Subject: BLM Glennallen District Subsistence Program in Unit 13 and Proposed Subsistence Regulation Changes.

16

17 This year is the fifth year of the Federal Subsistence Program in Glennallen and to date the District has issued the following subsistence permits: Caribou 1,474; Moose 525.

20

21 This year, to assist the public, the Glennallen BLM Office was open from 8:00 a.m. to 7:00 p.m. for the two weeks prior to the hunt. We also issued permits at three remote locations: Slana, Eureka, and Paxson.

25

26 Previous permit issuance was as follows:

27

28 Moose: 1993, a total of 500 permits, with a take of 29, and a 9.3% success rate. 1992, 659 permits, with a take of 50, for a 7.9% success rate. 1991, 722 permits, with a take of 102, for a 14.1% success. 1990, 593 permits, with a take of 34, for a 12.5% success rate.

33

34 Caribou: 1993, 1,698 permits were issued, with a take of 328, for a 22.6% success rate. 1992, 2,013 permits were issued, for a take of 454, for a 29.4 success percentage rate. 1991, 2,201 permits, with a take of 647, for a 24.9% success rate. And 1990, 792 permits were issued, with a take of 197, a 24.9% success rate.

40

41 This fall, the caribou in Unit 13 did not start to cross the Richardson Highway until late in the hunt so the final harvest numbers for caribou may be lower, depending on the winter hunt. Because fall caribou harvest for subsistence hunters is dependent upon when the animals cross the Richardson Denali Highways, Glennallen BLM is proposing a rule change to address that issue. We also received a number of complaints about the opening date of the subsistence moose hunt and we would like to propose a rule change on that issue also.

50

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1  
2 Page two of his report: Proposed rule changes to 36  
3 CFR part 242 and 50 CFR part 100, Subpart D, September 2, 1994:

4  
5 1) On page 45942, Unit 13, change the moose season  
6 starting date to match the state opening date of GMU.

7  
8 Justification: With the state hunt starting five days  
9 before the federal hunt, the federal subsistence hunters are at  
10 a disadvantage. The opening week of most big game hunts is the  
11 time where most of the animals are harvested. The more  
12 accessible animals are killed or harassed out of the area by the  
13 time the federal subsistence hunters start. And with the  
14 current state regulations in GMU 13, the majority of the age  
15 classes of bulls are available for harvest so very few animals  
16 will not be pursued by hunters.

17  
18 2) On the same page, add "either sex" after  
19 "Caribou..." in the harvest limits box. This would prevent  
20 any possibility of confusion or mis-interpretation of whether  
21 subsistence hunters need to bring out antlers with their kills.

22  
23 Justification: The state regs for GMU 13 state in the  
24 bag limits section that "caribou" means an animal of either  
25 sex. With the number of questions on this in the Glennallen  
26 office, we feel that the federal booklet should clarify our  
27 definition also.

28  
29 3) In the same caribou section of the harvest limits  
30 box, change the fall hunt ending date from September 20 to  
31 September 30. Because of the late movement of the caribou this  
32 fall, significant numbers of animals did not cross the  
33 Richardson Highway below Paxson until the last weekend. A  
34 large number of the subsistence hunters were reported to still  
35 be driving the roads for caribou after the hunt ended on  
36 September 20.

37  
38 Justification: In order to maximize the opportunity of  
39 rural residents in Unit 13, we feel that the fall hunt should  
40 be extended to the end of the month. From interviews with  
41 subsistence hunters we feel that this slight extension of the  
42 federal hunt season would increase the opportunity of rural  
43 residents in the unit who do not possess snow machines or  
44 all-terrain vehicles and can only hunt off the Richardson or  
45 Denali Highways. Thus, the opportunity for subsistence hunters  
46 would be improved on years where caribou do not cross through  
47 the area until too late to hunt.

48  
49 Summary: Glennallen District subsistence management  
50

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continues to be complicated by the state selection process. State and native selected lands cannot be used for federal subsistence hunting. This year the Glennallen District has had over 16 townships on the Bering Glacier and in the Black Rapids Area relinquished back to the federal government but the majority of the Tiekel Block remains under selection and was not available to hunters. Additional large scale maps of Gulkana/Delta River Corridors were handed out to all subsistence applicants in the Glennallen District to assist in identification of federal lands not under selection. By next year the selection process should have progressed far enough for this office to provide hunters with an accurate map of the remaining federal lands and reduce the confusion that has been created by the constantly shifting ownership. The Glennallen District remains committed to maximizing the harvest of subsistence animals for our Unit 13 rural residents while conserving those wildlife populations in a healthy condition.

18

19 Mike Coffeen, in a telephone conversation to me yesterday said if the council has any questions regarding the proposed changes, he -- you are free to teleconference with him. He'll be in the office from 7:00 to 5:00 today and tomorrow. That's the end of this report, Mr. Chairman.

24

25 CHAIRMAN EWAN: Thank you, Helga. Are there any comments on the recommendation from the BLM out of Glennallen? 26 I think these, myself, from my standpoint, I think these recommendations are well thought out; I think they're good recommendations. They are intended to help the local subsistence hunters, and I would support this if somebody would make a motion.

32

33 MR. LOHSE: I've got a question on these proposed changes. In the justification here there's nothing that says whether there's stock available. I mean anytime you extend a season you basically take more animals. Does the population of the animals warrant extended seasons in the area?

38

39 CHAIRMAN EWAN: I don't know. Anybody have statistics of game in the area we're talking about? Robert.

41

42 MR. WILLIS: Roy, I don't have anything with me on that. No, sorry. I didn't anticipate that coming up. The same holds true, Ralph, with the change to either sex. You know, I'd have to look at the regulation and look at the population figures and see whether or not we could support that. So I don't have anything to add right now. I'm sorry.

48

49 MR. LOHSE: You mean right at the moment it's not an

50

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either sex hunt there?

2

3 MR. WILLIS: According to this letter the regulations,  
4 it doesn't specify either sex. I don't -- we can get a copy of  
5 the regulations here in just a second and look that up.

6

7 MS. EAKON: Mr. Chair.

8

9 CHAIRMAN EWAN: Yes.

10

11 MS. EAKON: Mike said he would like to get the feelings  
12 and questions from the council on this because if there is  
13 support for these proposals, he will present them as proposals  
14 to change the 1995/96 regulations, and you will have an  
15 opportunity to make a recommendation at the winter meetings.

16

17 CHAIRMAN EWAN: Already stated in my support. I  
18 believe anybody else can state theirs if they have any position  
19 on it. Lee.

20

21 MR. BASNER: Well, I generally tend to support it, but  
22 Ralph has asked the question that I was going to ask, so before  
23 can -- you know, my inclination is to support, but I need  
24 more information first.

25

26 CHAIRMAN EWAN: Well, just from general observation as  
27 hunter in that area, I go up and down the highway, along with  
28 bunch of other people from the Glennallen area. I don't  
29 think we harvest very many. I don't think there -- maybe they  
30 might have taken quite a few out of the Eureka area. I'm not  
31 so -- I don't keep track of those people, but they're a little  
32 ways from where I come from. But the area that this guy is  
33 talking about, BLM managed land, is up along Sourdough and  
34 Anchor Creek, in that area. My observation is very few moose  
35 I mean caribou has been taken this year compared to other  
36 years. So I would say what he's recommending, I don't think  
37 would impact any more than how the caribou has been impacted in  
38 the past. I think he really -- these people really thought  
39 this out, in my opinion. I have the same feeling this --  
40 coming from that area of these people. Ben.

41

42 MR. ROMIG: Yeah, I'd like to support it, and when it  
43 comes out in proposal form we can look over the populations and  
44 check.

45

46 MS. EAKON: I will relate to Mike your question about  
47 the populations and ask him to be sure to include that in his  
48 proposal.

49

50

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1 MR. LOHSE: Yeah, I have nothing against extending  
2 seasons but to me they have to have biological justification.  
3 The fact that we've had two years that it didn't work, once you  
4 extend the season, let's say for the next two years caribou  
5 come through early, you've got instead of 10 days of caribou  
6 crossing the road, you've got 20 days of caribou crossing the  
7 road. You could have the reverse problem; you could end up  
8 taking more than you want to be taken instead of less. 'Cause  
9 there's a lot of -- talking to my brother and a few other  
10 people up there, there is a lot of people up there hunting. If  
11 the caribou were available, a lot of caribou could be taken in  
12 hurry.

13

14 CHAIRMAN EWAN: All right. Any other comments on this?  
15 Like I say, I believe they -- the federal people, the BLM  
16 people, are coordinating with the state and everybody, you  
17 know, on this. So I really think that they had time to look at  
18 some of the information that they have available. A lot of the  
19 stuff won't be known about the second season till after it  
20 happens. So that's what he makes reference to, maybe in the  
21 second season quite a few will be harvested, but in my own  
22 personal experience, a lot of people don't go out in the second  
23 season -- I don't. It's hard to work, you have to go out with  
24 a snow machine and something way out in the woods, and the  
25 caribou are kind of poor at that time of the year. So -- and  
26 the other thing that he mentions in here, the state opens their  
27 moose season five days earlier. That really puts the federal  
28 subsistence hunter at a disadvantage. I really agree with  
29 that. They should have the same date opening.

30

31 MR. LOHSE: Maybe you could explain something to me on  
32 this, Roy. Now if the state opens it five days earlier, but  
33 that's not open on federal lands, that's only open on state  
34 land and Ahtna land, right?

35

36 CHAIRMAN EWAN: Yeah. If you look at your map, I guess  
37 I don't know where it is. We're talking about the same area  
38 generally; 13, 11, and 12 -- Units 13, 11, and 12. The federal  
39 land only goes out about four, five miles, and then it's state  
40 lands. There are people who go out on designated trails and  
41 sort of disperse the moose and everything before the federal  
42 subsistence hunters can get out there.

43

44 MR. LOHSE: So it's mostly a problem of dispersement  
45 and harassment, not so much take?

46

47 CHAIRMAN EWAN: Yes. Lee.

48

49 MR. BASNER: Mr. Chairman, I support the -- getting

50

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the two seasons together. That precludes a lot of confusion on the part of the individual hunters, and I think that's just a real good proposal, and I support that 100%. I equivocate a little bit, but I guess I'll support the rest of it also. But I still would like to get some more information on take and whether it's a two sex hunt or one sex hunt or what it is. I just don't have any information.

8

9 MR. WILLIS: Well, the business about adding either sex after caribou is just for clarification purposes, because the regulation says two caribou. It just doesn't say either sex, and apparently that's what's causing confusion for some people. So that would not be a change in a regulation, rather just a change in wording to make it clearer. And I'm sure this will be submitted as a proposal by BLM during the proposal submission period, so we'll have a full analysis prior to the winter meeting.

18

19 CHAIRMAN EWAN: All right. Should we move on then or just leave it at that. If somebody wants to make a motion?

21

22 MR. ROMIG: I'd like to move to support this letter.

23

24 CHAIRMAN EWAN: The motion, Ben, could you repeat it again for me?

26

27 MR. ROMIG: I'd like to move to be in favor of this letter and to look into this.

29

30 CHAIRMAN EWAN: You're talking about all the recommendations?

32

33 MR. ROMIG: The letter in general.

34

35 CHAIRMAN EWAN: Okay, in general. Is there a second?

36

37 MR. BASNER: I'll second.

38

39 CHAIRMAN EWAN: Okay. Any further discussion on the motion?

41

42 MR. BASNER: Yes, Mr. Chairman. I've got to eat the cake, okay. It's my understanding now what we're doing is supporting the person, Mr. Coffeen, in his effort to compile this information contained in this letter into a proposal at which time we'll have further opportunity to comment on the proposal. Is that correct -- is my understanding correct? Okay.

49

50

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1 CHAIRMAN EWAN: Any further discussion on the motion?

2

3 MR. LOHSE: Yeah, Mr. Chairman, I don't know how I  
4 could support the letter without supporting its proposals, and  
5 I can't support this Proposal #3 with the justification that he  
6 has here, because it doesn't address any biological -- it  
7 doesn't address any possible increases in take, whether it can  
8 take that kind of take, what's going to happen on the odd  
9 years, and so while I'm in favor of increasing opportunity, I  
10 don't want to go on record that I was in favor of extending the  
11 season of September 20 to September 30 without any -- with the  
12 information that I've got in front of me.

13

14 CHAIRMAN EWAN: I think that's understandable, Ralph.  
15 I just want to tell you that I think they have past year  
16 statistics, and I don't think we have harvested anywhere close  
17 to what we harvested in the past. I guess that's what they're  
18 basing this recommendation on, just based on what they observed  
19 out on the highway. I, like I say, I go up and down the road  
20 here and I've seen very few caribou taken this year compared  
21 to other years. So I still -- even though we don't have  
22 statistics here today, I'd like to support this motion.

23

24 Helga.

25

26 MS. EAKON: Mr. Chair, I think the way that Lee Basner  
27 worded the motion, it's appropriate and would cover Ralph  
28 Lohse's concern because -- could you please restate it the way  
29 you're not necessarily going on record as supporting BLM's  
30 proposed changes; my understanding is you're going on record in  
31 supporting him as he drafts these proposals after which time  
32 you will have an opportunity to make your recommendation at the  
33 winter meetings.

34

35 MR. BASNER: Well, first, it was not my motion; I was  
36 the second. Yeah, I can't change the motion. The person that  
37 made the motion would have to withdraw and the second would  
38 have to in turn -- you'd have to start over.

39

40 CHAIRMAN EWAN: All right. Are you prepared to vote on  
41 this or do you want further discussion on it? You're surely  
42 welcome to amend the motion. Ralph, do you have a concern  
43 about that?

44

45 MR. LOHSE: Well, I'll have to vote against the motion  
46 as it stands. I mean I -- 'cause the way it stands to me is  
47 we're supporting him in this letter, and part of this letter is  
48 the three proposals, and I can't support the third proposal  
49 without having data on it, you know. So I would have to vote

50

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against the motion.

2

3 CHAIRMAN EWAN: Lee.

4

5 MR. BASNER: Mr. Chairman, Ralph, you talk about  
 6 supporting the proposal. There is no proposal here. What  
 7 we're supporting is the fact that the man wants to put together  
 8 this information into the proper form of a proposal. At that  
 9 point we'll address the issue of whether or not we want to  
 10 support it; we can support or deny. I think what they're doing  
 11 is -- you know, they would like to either get some  
 12 encouragement or discouragement from us in order to proceed on  
 13 this. They may proceed whether we encourage or not, but  
 14 nevertheless, this is not our final crack at this particular  
 15 issue. And I share your concern, Ralph, because we don't have  
 16 a lot of information here. But nevertheless I think we've got  
 17 to move forward on it. Say, yeah, that's a pretty good idea,  
 18 put it together, get the data in front of us in the form of a  
 19 recognized proposal and then we, as a council, will take a hard  
 20 look at it, and we'll either support the proposal and forward  
 21 our support to the board, or else we'll say no, we don't  
 22 support that or we'll amend it. At this point it's pretty much  
 23 nuts and bolts thing to get something on a piece of paper,  
 24 the way I read it.

25

26 CHAIRMAN EWAN: Okay. They have some control system;  
 27 don't they? I mean there's a way to protect over harvest and  
 28 all that, isn't there?

29

30 MR. WILLIS: I'm not sure what you're referring to,  
 31 Roy.

32

33 CHAIRMAN EWAN: If we had the extended season what I'm  
 34 concerned about is probably killing too many caribou during  
 35 that extended season.

36

37 MR. WILLIS: You're thinking in terms of a quota or  
 38 something of that nature?

39

40 CHAIRMAN EWAN: Well, if they moved -- don't you people  
 41 have -- the federal government I'm talking, BLM have authority  
 42 to stop if they see an over-harvest of a specie?

43

44 MR. WILLIS: I couldn't speak for BLM on that, Roy, I'm  
 45 sorry. Maybe somebody else in the audience can, but I don't  
 46 know if they have that kind of authority.

47

48 CHAIRMAN EWAN: I've heard lots of times that they have  
 49 emergency closures, the state does or something. Can that come

50

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up .....

2

3 MR. WILLIS: The state can certainly do that.  
 Obviously the Federal Subsistence Board also has -- yes, can do  
 emergency closures, 60 days or temporary closures through the  
 end of the season with certain preliminary steps. Is that what  
 you're referring to? The Federal Subsistence Board's power,  
 not the Bureau of Land Management.

9

10 CHAIRMAN EWAN: Oh, I see. Are we prepared to vote --  
 ready to vote?

12

13 MR. BASNER: Call for the question.

14

15 CHAIRMAN EWAN: Okay, all in favor, say aye.

16

17 IN UNISON: Aye.

18

19 CHAIRMAN EWAN: Opposed by the same sign.

20

21 MR. LOHSE: Aye.

22

23 CHAIRMAN EWAN: I think the ayes have it in support of  
 the motion, so the motion passes.

25

26 MR. MARSHALL: Was that three to one?

27

28 CHAIRMAN EWAN: Yes. The next item then will be --  
 Okay, the next item will be a letter from the Exxon. Helga.

30

31 MS. EAKON: You do have a copy of the letter of  
 response from the Exxon Valdez Trustees. Gary Kompkoff had  
 asked the council to write a letter to the Trustees expressing  
 concerns about the effects -- the adverse effects of the oil  
 spill on the subsistence resources in the Prince William Sound  
 area. The Trustees did respond and it's in the council books,  
 and there is also a copy of the letter on one of the tables in  
 the room.

39

40 CHAIRMAN EWAN: All right. Is there any comments on  
 the Valdez Exxon Oil Spill letter? Okay, we'll move on if  
 there are no comments. Okay, the next item will be Kenai  
 Customary and Traditional Determination Schedule & Summary of  
 Review Comments. I guess we'll call on Dick Pospahala here to  
 45 or somebody, whoever wants to be speaking on this.

46

47 MR. POSPAHALA: I think I'll delegate my  
 responsibilities.

49

50

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1 MR. BRELSFORD: With your permission, Mr. Chair, we'll  
2 go ahead and get started on that. I was going to be really  
3 interested to see what he said. We might all learn something.

4  
5 Okay. I believe you have two items in your packets,  
6 and I have a third item to distribute to you in just a second.  
7 The first of those is a schedule that's laid out sideways with  
8 these little calendar bars. And I -- you guys are getting to  
9 be old pros at this. We don't need to go through a lot of the  
10 preliminaries here. But basically there are decision  
11 milestones coming up quite soon, and I'd just like to draw your  
12 attention to those about a quarter of the way down the page.

13  
14 Looking in the left-hand column you see the action  
15 item or the topic. About a quarter of the way down you'll see  
16 an item, Board Develops Proposed Rule. That's really the first  
17 decision point in the Kenai C & T eligibility determination  
18 process. We show a date on that of 11/4/94 in this schedule,  
19 and in fact our board meeting to make that decision is  
20 scheduled for November 15, if I'm not mistaken, Helga. The  
21 board meeting is November 15?

22  
23 MS. EAKON: Yes, as far as I know, yes.

24  
25 MR. BRELSFORD: Okay. So, again, the proposed rule is  
26 more or less of a draft decision. It's the first time the  
27 board makes a public decision about eligibility on the Kenai  
28 Peninsula.

29  
30 And following that the next several items referred to  
31 steps in the public review process. The proposed rule or the  
32 draft decision, so to speak, is published in the Federal  
33 Register notice, and there's a 60-day period of public review.  
34 Our intention is to actually conduct some meetings in the  
35 communities on the Kenai Peninsula during that public review  
36 period. I believe the question was asked earlier about how  
37 much the communities had been involved to date, and our intent  
38 is to -- during this public review process on the proposed  
39 rule, actually conduct some public meetings to insure that  
40 people throughout the peninsula have the draft decision in  
41 front of them and are able to respond to that.

42  
43 The other crucial item during the proposed -- during  
44 the public review of the proposed rule is the item titled,  
45 Prepare the Council Recommendation. And I believe we  
46 emphasized a number of times that your formal recommendation  
47 regarding eligibility in the Kenai Peninsula comes when you  
48 respond to the proposed rule. That's where your specific  
49 advice to the board comes. So this item that says, Prepare  
50

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the Council Recommendation, that's when you will make a -- you have to have a publicly noticed meeting, a quorum, you make motions. You'll make a formal recommendation regarding the Kenai C & T eligibility.

5

6 Lee, go ahead. What was your question?

7

8 MR. BASNER: Yes, I see some dates down here. Are these dates locked in concrete for the council meeting?

10

11 MR. BRELSFORD: Not at all. No, They're really planning target dates. There are some wrinkles involved in getting documents -- decisions from our board written up in Federal Register notice language and published in the Federal Register notice. So we've estimated the amount of time that it will take to have the publication concluded in Washington, D.C. That could -- we could fall out by 10 days or so on that item, but generally speaking these are important milestones that we're going to work pretty hard to meet. But I wouldn't say they're exact down to the absolute date.

21

22 MR. BASNER: Okay. Mr. Chairman, on the agenda, way down on item number 10 is establish the time and place of the next meeting, and so I don't want to get out of the proper sequence on the agenda. But we're also at this point looking at something that's got some dates for our next meeting. I have a conflict personally with those dates. I won't be here, I'm going to take a vacation. But -- and I've already got my plane ticket. But I would like very much to be able to attend and participate. So I don't know at what point we will discuss this.

32

33 MS. EAKON: Mr. Chair. In consulting with Janis Meldrum on the Upper Tanana C & T schedule, which is going to run in tandem with the Kenai C & T schedule, she pointed out that looking at the window for the winter regional council meetings, the window begins January 30 and ends March 3. And the most appropriate time for the winter meeting would be February 27, and she could expound on it a little bit more when she gets to the Upper Tanana C & T schedule.

41

42 Is that going to conflict with your vacation dates as well?

44

45 MR. BASNER: No, that would be fine.

46

47 MR. BRELSFORD: Is it okay to proceed?

48

49 CHAIRMAN EWAN: All right.

50

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1  
2 MR. BRELSFORD: Okay, thanks. The next -- once you've  
made your recommendation, the next step is that the board takes  
the public testimony, the council recommendation, makes the  
final decision. That's referred to about the bottom quarter of  
this as the board decision. At present we're aiming to do that  
in mid-April, about the time of the annual board meeting. And  
then the final line item is the effective date. And our target  
is to have this decision in place by the new regulatory year,  
which would start on July 1, 1995.

11  
12 So that's the scheduling item. Any other questions or  
comments? And I think it's helpful that Helga has underlined  
that the board would like to treat both the Kenai Peninsula and  
the Upper Tanana Basin at the same time, the same meetings.

16  
17 CHAIRMAN EWAN: You're talking about at the Federal  
Subsistence Board?

19  
20 MR. BRELSFORD: That's correct. So with your  
permission, we'll go on to the next item, and that is a Federal  
Register notice. It is in the "guaranteed to ruin your eyes"  
style of the Federal Register. And this touches on a number of  
procedures and priorities that again I think you're rather  
familiar with. We've been through a number of these steps  
already on the Kenai Peninsula. But let me just draw your  
attention to a couple of aspects of that Federal Register  
statement.

29  
30 The first, as you know, is the fact that the board  
decided to look primarily at large mammals rather than all  
species in conducting this eligibility review. So, for  
example, on the Kenai Peninsula we've looked at brown bear,  
black bear, caribou, moose, goats and sheep; not small mammals,  
not other species.

36  
37 Secondly, the procedure will focus on one of 26  
analysis areas; the communities that share a region and share  
resource harvest patterns will be considered together. So  
there are 26 of these areas that are going to be reviewed, one  
at a time, rather than looking at just one community at  
a time or rather than trying to do the whole state at a time.  
So these 26 analysis areas are kind of the stepping stones of  
the C & T review process for the federal program.

45  
46 Thirdly, the Federal Register notice repeats those  
right factors that are established in our regulations, and you  
guys have seen those many times before:

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1 And next, if you look at about the middle of the second  
 2- middle column of the second page of the Federal Register  
 Notice, towards the bottom you'll see some paragraphs that  
 begin with a little title of Scoping. These are going to be  
 the steps that the C & T review process will follow. So the  
 first of those is, again, scoping, and that's a matter of  
 meeting with the regional council and, in some instances, with  
 communities or with agencies, with knowledgeable people to  
 identify issues that assure that we're using the best available  
 information.

11

12 The next step is Information Collection. We've been  
 through this together on the Kenai already, followed by  
 Analysis, in which we would try and identify how those eight  
 factors occur, what kind of long-term, consistent patterns,  
 what kind of sharing patterns, and so on, sound in the  
 information that we've collected.

18

19 The fourth step is the Regional Council Review. And we  
 use the term "review" here because it's before the proposed  
 rule, it's before your legal recommendation is offered, but  
 that review of the documents is similar to the meeting that  
 this council held in June -- January of 1994 where we went  
 through the draft documents, paragraph by paragraph and asked  
 questions. That's the council review step, and that's going to  
 be done all around. And each time a C & T project is going  
 there will be this extra step of council review of the draft  
 documentation.

29

30 Following that comes the Proposed Rule, and that's the  
 step we're moving into on the Kenai. After that the Public  
 Review and the formal recommendation of the regional council, a  
 and finally the board's final decision, the final rule would be  
 decided.

35

36 Turning to the next page in the Federal Register  
 document there's a table in the middle of the page that lays  
 out the priorities to date so the top seven analyses areas out  
 of those 26, 7 of those are already started or scheduled in the  
 very near future. And if you look to the right-hand column  
 you'll see that the completion years are noted in for those top  
 seven so that a specific priority and date for completion is  
 established for the first seven analysis areas. The remaining  
 19 areas -- that's not right. The remaining 19 areas are  
 listed without due date, without completion dates, and  
 basically what the board has said is they want further input  
 from the regional councils and the public and the agencies  
 about priorities after 1995. So if you get a chance to look in  
 the text it will say the board solicits additional information

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from these parties to assist in making priorities following 1995.

3

4 So this lays out some procedural steps and some  
priorities through 1995 and asks for additional information to  
help make priority decisions for after 1995. And that's kind  
of the guidepost for us in conducting the C & T eligibility  
reviews.

9

10 CHAIRMAN EWAN: Lee.

11

12 MR. BASNER: Yes, Mr. Chairman, in looking over this  
analysis area and priority order, I notice that the Denali  
Parks Highway is the second one that does not have a year of  
completion date listed in there, and we were told that that was  
fairly high up on the priority list, but I think I just  
understood Taylor to say that depending upon input from the  
public and the regional councils, this might be shuffled around  
a bit. Did I understand that correctly?

20

21 MR. BRELSFORD: I did miss one point, and you give me  
the chance to recover here. The order that you see there was  
more or less of a draft priority order. This was the first cut  
at trying to organize all of the 26 areas. But the fact that  
not dates have been assigned means that the board hasn't really  
adopted that listing after number 7. So they're leaving open  
the possibility that there may be some adjustments in it, but  
this was the first cut based on primarily the requests that  
came in from public meetings when the environmental impact  
statement was being reviewed. So I think it's saying that  
there's a kind of presumption in favor of the Denali Parks  
Highway unit being one of the next few study areas. But the  
board's left open some flexibility for additional deliberation  
at priorities after 1995.

35

36 CHAIRMAN EWAN: Go ahead, Lee.

37

38 MR. BASNER: Okay. Is this the appropriate point to  
discuss the Denali Parks Highway issue -- appropriate point in  
this meeting? I had not planned to discuss it, but it just  
kind of came up and is something we have discussed in the past.  
Do we need to now take some action to reinforce our desire  
that this be a priority issue?

44

45 MR. BRELSFORD: I think you certainly could. That's  
exactly what the board's requested in its Federal Register  
notice. As a matter of your agenda, it might be better to  
treat that as an item of New Business later on in the meeting.  
I'm thinking particularly of the fact that you'll have quite a

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bit of additional information on the Park Services work after Janis has been able to talk about the Upper Tanana, and I believe, Bruce, you've got some briefing materials on the Copper River Basin as well. So I think if we kind of catch up on the full picture and then talk about additional actions, that might facilitate your decision.

7

CHAIRMAN EWAN: Taylor, I have a question on your schedule here that you mentioned a little earlier. My copy is not too clear, the dates on the end for the Upper Tanana, Kenai and Upper Basin, all those seven that you mentioned. Are those dates on the end there '95 of '96 or both?

13

MR. BRELSFORD: There's some of both. The first two are '95; the third one, which would be Copper River Basin, is 1996; Yukon Delta is listed as 1995; Minto says 1996; Yukon Flats says '95; and Eastern North Slope says 1995.

18

CHAIRMAN EWAN: Thank you. Do you have more?

20

MR. BRELSFORD: Yes. One other item, and that is to bring you up to date on review comments that have been received on the Kenai draft documents. Ron's passing out a little briefing statement on it. And basically the situation is that we received formal review comments from the Alaska Department of Fish & Game, from the Forest Service, and some additional information, a study that was study findings or results, that was conducted by the Ninilchik Traditional Council. I think we've talked a time or two about the fact that the BIA had funded an additional household survey of subsistence efforts by Ninilchik Traditional Council, and their results came in on time, and I prepared just a quick summary of what they turned up.

34

The ADF&G review comments came to us on June 2, 1994, and they were focused on the draft Analyses Statement, those Alternatives A, B, and C that the regional council has been through in some detail. I'll just be real summary here, so if you want more detail, tell me after.

40

But basically the Alaska Department of Fish & Game objected to Option A as being kind of questionable and is more or less reaching -- you know, stretching the data to find positive C & T eligibility for a lot of communities that they thought perhaps wasn't as fully merited.

46

Alternative B was the option that the Alaska Department of Fish and Game thought was probably the most reasonable one, but they had some minor adjustments and revisions that they

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thought would be appropriate. I think, in particular if you look at the top of page 2, the second page in the briefing, there's an indented quotation from the ADF&G paper, and they were suggesting that perhaps neighboring communities ought to more or less be eligible or not be eligible together, that their pattern would be common, that you shouldn't have a bunch of little islands of some communities, some individual settlements being eligible, some settlements nearby not being eligible. That's kind of the objection that they raised about Option B, in the fashion that we discussed it.

11

12 And policy Alternative C they generally consider overly restrictive. They make a -- I think an important point that sometimes when we try to figure out where people go to hunt and how much harvest effort takes place on federal lands, that sometimes our records aren't very accurate, and we might wrongly say that a community da-da-da doesn't go up into the refuge or onto federal lands just because our records are wrong, not because the community really and truly never utilized that area. So the ADF&G paper summarizes by saying they think there were some valid elements in each of the alternatives but that it really out to be redone pretty fundamentally before the board really works with it.

24

25 The paper submitted from the Forest Service, we had two versions, one a couple of days after the other, and I think basically the June 30 version is the one that had the final comments. They essentially make three points. First of all that the policy options in the -- policy option draft statement of June 1994 are overly conservative, especially Alternatives B and C, that they're too narrow, too restrictive in the eyes of the Forest Service. They point out that our draft tends to over-emphasize factor one, concerned with the time depth of harvest practices, and factor 8, which talks about the reliance on a wide spectrum of resources and that it might be better to talk more fully about all eight factors rather than just highlighting those two. They refer to some of the legal cases. Maybe you can read them after, if you'd like.

39

40 The second major point that the Forest Service offered was that they support the more inclusive approach found in Alternative A, and the Forest Service comments took note of the Southcentral Regional Council's review and their ideas that we had put together back in January of '94. They used a little bit different language to characterize Alternative A, and on the third page of the briefing statement you'll see the indented paragraph a third of the way down: The USFS Regional Office, Subsistence Staff recommendation is that we should start with the presumption that all rural residents of the

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Kenai are recognized as having C & T use eligibility of all subsistence resource species in the vicinity or use area of the rural community. So that's kind of the policy statement that the Forest Service thinks might be the best way to go.

5

6 And the third point made in the Forest Service review comments had to do with procedures. They were anxious that we include the Ninilchik Traditional Council's new information, that we keep up an effort to brief all of the regional councils and to encourage their input, their review comments on the policy questions that are involved in C & T eligibility. And there were some points made about asking whether neighboring regions, for example, Tyonek or Tatitlek, whether communities outside of the peninsula were actually using the Kenai Peninsula and whether perhaps we had missed that in the analysis that we had done to date. So that concludes the main points made in the Forest Service.

18

19 The final item is from the Ninilchik Traditional Council, and they had conducted a household survey. There -- Helga and I went down to meet with the traditional council staff in early September to be sure we understood the methodologies and the report format for the Ninilchik Traditional Council survey's findings, the report that they submitted to us.

26

27 And the basic picture is that they had -- they interviewed 26 households, some of which are Ninilchik Traditional Council members and some of which were other long-term residents. That would be 26 households out of a total of about 400 households. So that's kind of the sample size. They adopted a method that was a little unusual by trying to identify harvest practices throughout the whole lifetime of that household rather than in a particular study year, so typically community studies will ask of harvests in 1982, for example. You'll ask about the preceding year, hunting activities. Instead they ask about the entire lifetime, and the result is that the mass -- the kind of main upshot of this is that the maps that the Ninilchik Traditional Council submitted are much larger areas of harvest activity than any of the earlier documentation showed. For example, the harvest area for moose extended from Lake Illiamna to the entire Kenai Peninsula, the Mat-Su Valley and all the way into the Copper River Basin. That's a wider area, and I think that's a matter of a different method being used to prepare the documentation.

47

48 A similar kind of difference, compared to the information we had before, is that some species that were not

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reportedly used in the 1980s and '90s, black bear and brown bear, brown bear was not reported to be used at all in our earlier information, and black bear was reportedly used very, very rarely. The Ninilchik Traditional Council study of 1994 actually turns up some fairly high rates of use, a number of households that had used this species at some point in their lifetime.

8

9 So it's kind of a more expansive picture of subsistence resource uses, but, again, the method is very different, and so the comparisons will have to be kind of -- you know, have to be careful not to overstate or misunderstand exactly what information is being conveyed. So that's more or less the additional information that was provided by the Ninilchik Traditional Council, and I believe that's what we received since you all have last looked at the documentation.

17

18 So if there are any questions, I'd be happy to try and answer.

20

21 CHAIRMAN EWAN: All right. Thank you. Are there any questions, comments? Lee.

23

24 MR. BASNER: Yes. I have a comment. I find it a hell of a stretch from Lake Illiamna to the Mat-Su Valley to think that somebody will travel that distance to subsist, and I don't know what the parameters were of this particular study, but if people were allowed to draw on a map any time, anywhere in the past, anybody in your family ever took an animal, I suppose you could get a pretty large map, could cover most of the state of Alaska. So, you know, I wonder what validity there is of this. This doesn't give me information that I could use to make a decision because it's preposterous.

34

35 MR. BRELSFORD: Well, when I first got the map I was uncertain whether our existing information was just totally out of sync or if there was a big difference in the message involved, and that was the purpose of going down and meeting with the council. Prior to conducting their survey they had asked for some example methods, and we took, in fact, a study message from the ADF&G study of Hope, Cooper Landing, and Whittier in 1992, a very recent example from the Kenai Peninsula, and sent down the survey materials and the description of method. And it, for example, talked about a single study year. You try and get a comprehensive picture of all resource uses in a one year period, and the mapping in the Hope, Cooper Landing, Whittier study was -- I believe it was a 40-year period or a 20-year period, but kind of recent contemporary harvest areas.

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1  
2           So that was the example that we offered to the council.  
3 When I talked with Gary and Debbie, Gary made the very basic  
4 point that since this is a study of traditional uses the  
5 Ninilchik Traditional Council wanted to go back far enough to  
6 talk about resource harvest patterns before all of the  
7 population growth and competition and resource pressure on the  
8 Kenai Peninsula. So that was the -- I mean they had done this  
9 on purpose. They realized that the method they adopted was  
10 different than the standard method for subsistence studies, and  
11 that was his reasoning about it.

12  
13           I guess -- you know, my responsibility at this point is  
14 more a matter of trying to be perfectly clear for the board  
15 what the methods were and therefore what the information  
16 represents. I think from the standpoint of historical uses it  
17 is plausible to me that early in this century people were  
18 traveling more widely and that you had temporary settlements --  
19 remote settlements at various times during the year, seasonal  
20 camps, and as a result the residents may have been covering a  
21 wider area, but that after kind of concentration in the local  
22 communities, somewhere in the '50s or '60s, those patterns  
23 would be very different.

24  
25           So, I guess to sum it up, I wouldn't necessary quibble  
26 over whether people had these wide harvest areas at an earlier  
27 time in the century, but it's difficult for us to look at that  
28 map and understand more fully, more carefully what's gone on in  
29 the last 20 or 30 years. It uses too large of a time period to  
30 help us in that respect.

31  
32           MR. BASNER: Well, I -- you know, I'm certainly not out  
33 to pick on the Ninilchik people anymore than anybody else, I  
34 don't want to pick on anyone, but I can see some -- to begin  
35 with, we haven't had input from any of the other areas of the  
36 state, and of course our council, we won't get that kind of  
37 input until the other councils have received it themselves and  
38 passed it on to us.

39  
40           But you could stretch this thing out so that anybody in  
41 Barrow, whoever came down on the Kenai Peninsula and shot a  
42 goat has customary and traditional use of goats on the Kenai.  
43 Heck, I'm up in the Mat-Su Valley, and I shot a goat one time  
44 down here on Prince William Sound, and that's been  
45 some-odd-years ago. Does that make me a customary and  
46 additional user of goats 'cause I took one one time down  
47 there? And my own answer to my own question is no. Incidental  
48 take or opportunistic take is not customary and traditional  
49 use.

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1  
2           So I would hate to see this thing get too far out of  
Band. I want to protect customary and traditional, but I don't  
want to see it abused so that any given population anywhere in  
the state can reach as far back as they need to go to justify  
current hunting permission in a specific area. I.e., let's go  
up and take moose up along the Denali Highway because that's a  
nice area to hunt, our caribou up there, because 300 years ago  
our ancestors went up there one time on a hunting trip and took  
a caribou. So I just point this out as something we need to be  
careful of.

12  
13           CHAIRMAN EWAN: Any questions or comments?  
14

15           MR. LOHSE: Yeah, from what I'm reading right here, it  
said that in the survey they didn't keep track of whether  
things were taken in the past decade or past century. In other  
words there was no -- when people put down what they took they  
didn't put down when. That would have been a real interesting  
pattern to have seen, whether there was a more widespread take  
earlier, if the widespread take is now that we have road  
access, you know. It doesn't really -- without knowing when it  
was taken you don't see -- well, you don't see whether there's  
a change in pattern or growth in the pattern or shrinking of  
the pattern. And there was no dates on it at all.

26  
27           MR. BRELSFORD: No. Literally on the maps there are no  
dates given at all, and that's why I had to -- I wanted to go  
back and make sure I knew what was intended.

30  
31           MR. LOHSE: No information either.  
32

33           MR. BRELSFORD: No. And so there's no methods  
introduction. There's no introductory statement indicating the  
methods and the scope of the survey, the time scope, and so  
I'll have to write, or as we incorporate this into the board's  
deliberations, write up the information that was provided by  
the council about the methods. So their intention was to  
generally gather for the entire lifetime -- gather information  
about resource uses during the entire lifetime of members of  
that household. And so in some cases that will reach back to  
the 1930s, you know, before the war.

43  
44           MR. LOHSE: That's a long ways, too.  
45

46           CHAIRMAN EWAN: Any other comments? Is that the extent  
of your report?  
48

49           MR. BRELSFORD: Yes, thank you for your patience, and I  
50

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think that concludes all that I've done.

2

3 CHAIRMAN EWAN: All right. I think there is concern  
4 about what Lee just stated there. Ralph, do you concern about  
5 that also?

6

7 MR. LOHSE: I do, Yeah. I mean, I can look at my own  
8 life and I could have game spread all over the place.

9

10 CHAIRMAN EWAN: Well, let me comment about that. You  
11 know, thinking about, it I was glancing through this summary of  
12 comments, I think from a Native standpoint the people that are  
13 born, raised here and their ancestors lived here, you have to  
14 look at it a little bit different, I think. I just want to  
15 take the -- you know, be in their shoes. I think that if they  
16 heard from their grandfather that they, yeah, this is the area  
17 we hunted a long time but we -- you know, nothing is on paper,  
18 nobody -- you have to just take their word for it. You have to  
19 look at it from the standpoint of the time -- the time that  
20 you're talking about. Say if you're talking about 50 years  
21 ago, people were pretty much dependent on game, and how can  
22 they survive; what are you going to eat? If there were a goat  
23 whatever it was out there, it's the only thing you could get  
24 that year, that's all you're going to be trying to get.

25

26 So I think that should be taken into consideration. I  
27 mean I know that we don't have no dates, we don't have a lot of  
28 things, but still I think it's a factor. You've got to take  
29 into consideration from a Native standpoint. I think that  
30 natives are afraid that they're going to lose traditional ways  
31 and customary and traditional rights if they don't say  
32 anything. If you just stay silent and let somebody that  
33 migrated from New York or California decides your future then  
34 you'll kill your future; there'll be no subsistence practically  
35 down the road. That's what they're afraid of, I think.

36

37 Okay, we'll move on to the next item if there's no  
38 other comments. Okay, the next item is the Copper River Basin  
39 Customary and Traditional Schedule, National Parks Service:  
40 Bruce Greenwood. Bruce.

41

42 MR. GREENWOOD: Thank you, Mr. Chairman and council  
43 members. I want to look over -- in your packet there you have  
44 schedule and two of the documents. What we want to do is  
45 first go over the schedule, give you an idea of what we're going  
46 to be doing out there, and you'll probably note that it's  
47 really very similar to what Taylor went over, however, we're  
48 first talking about a different area and actually different  
49 dates.

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1  
2 If you look at your schedule we're right now in the  
Report Preparation Process, and we intend on completing a draft  
report and I'd like to give you a general idea it will be  
Sometime this winter or early spring. The next phase of that  
would be to take this report out to you, the regional council  
and any other public that are interested in it, and that will  
happen during winter and spring -- more like late winter and  
spring.

10  
11 The next step would be -- after we complete that we'll  
take any comments that you have on the draft. It will be very  
similar to Kenai, we'll have a chance to review that. We'll  
then put together your comments, prepare a final report, and  
after that we'll put together a Conclusion Statement or  
recommendations. At that point in time you'll have a chance to  
also review the recommendations that we put together and this  
will be either between early summer and fall. I do realize  
there could be some conflicts during the summer season,  
however, we will try to work around that.

21  
22 Once the recommendations are prepared and you've had a  
chance to comment on it, we'll be at a similar phase where you  
are now with Kenai and Upper Tanana where it will be coming  
down to making a proposed regulation. That will happen -- it's  
quite a long ways away, fall or winter of '96. So about a year  
from now we'll be at the point in time where we would be  
presenting or preparing the proposed regulations for C & T in  
Copper Basin area. If you notice on there, Board Decision,  
that's scheduled to be during the spring of 1996, and we plan  
to have an effective date for Copper Basin on July 1, '96.

32  
33 Now that's kind of just a general schedule and general  
same line. The different phases, as you might notice on there,  
there are quite a few phases. When we're going to complete  
those phases may not be exactly as shown on this schedule, but  
we do -- like I mentioned, plan on meeting the July 1, '96  
date.

39  
40 And I would like to emphasize that during this process,  
from now until we complete it, there's approximately four  
months of review time we'll tend to the process, and this  
process is -- it's going to be the same one that Taylor  
described to you in the Federal Register notice.

45  
46 Do you have any questions on the schedule?

47  
48 MR. LOHSE: Yeah. The dates that are on this schedule  
are off about six months, is that what you're saying?

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1  
2 MR. GREENWOOD: Well, what I'm saying there is we have  
about from the time we originally planned on completing it  
would be January of '96, however, it won't be effective until  
July 1 of '96, which that leaves about a four-month period in  
there to pick up slack time here and there. So while I'm not  
giving you a specific date, just because we're looking nearly  
two years in advance, I'd prefer to give you a range of a  
period of time when each of these processes will occur.

10  
11 CHAIRMAN EWAN: I don't think there's anymore questions  
on that.

13  
14 MR. GREENWOOD: Okay. The next two documents, one is a  
list of the communities that we're going to focus on in Copper  
Basin, and these communities are the ones that have been  
focused on on Alaska Fish & Game Department Subsistence  
Division studies and also the -- as noted here, the Over the  
Horizon Backscatter Radar Study that was done in 1988. And  
then the following document is just a map to show you -- for  
the people I'm familiar with that are aware of where the  
different communities are located.

23  
24 Any more questions?

25  
26 CHAIRMAN EWAN: I guess not.

27  
28 MR. GREENWOOD: Thank you.

29  
30 CHAIRMAN EWAN: Thank you. Thank you very much. We'll  
move on to the next item. The next item -- before we get to  
the next item let me remind anybody here that if they want to  
make a -- if you want to testify, make a public comment on  
anything we're talking about here today or anything that we have  
not talked about, you can sign-in back there somewhere --  
Belga, and we'll take public comments later this evening.

37  
38 MS. EAKON: Yes, there are little half sheets of forms  
right on the sign-in table, and if you want to testify, please  
give it to Dick Marshall, and we do plan to start tonight at  
7:00. This will be to provide an opportunity for people who  
work during the day to come in and have their say on  
subsistence issues or matters.

44  
45 CHAIRMAN EWAN: Thank you. On the next item it is  
Upper Tanana C & T Schedule and Council Comments on Draft  
Report and Staff Recommendations, National Park Service: Janis  
Meldrum.

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1 MS. MELDRUM: First of all, I guess for people in the  
 2 audience that might not have gotten a copy of this in the mail,  
 3 the documents I'm referring to are these proposed conclusions  
 4 in the Final Report on Upper Tanana Customary and Traditional  
 5 Use. There's a schedule and then a Summary Chart, and all  
 6 these are available on the back table. So if you want a copy  
 7 to follow along or take home, you can pick one up back there.

8

9 CHAIRMAN EWAN: Can you get closer to the mike?

10

11 MS. MELDRUM: I'm not making it, huh? These things are  
 12 intimidating. What I had planned to do today, maybe we won't  
 13 add up accomplishing, but I wanted to bring you up to date on  
 14 where we're at in this process on Upper Tanana, although with  
 15 our discussion this morning maybe it won't be worthwhile to  
 16 proceed to actually review these two documents in detail since  
 17 people didn't have time to do that. But I'll -- if it sounds  
 18 okay to the council, I'll just bring you up to date on where  
 19 we're at right now, and what I'll be presenting to the Upper  
 20 Tanana Regional Council, and then we'll decide where to go from  
 21 there, if you want to do more.

22

23 CHAIRMAN EWAN: That's fine with us.

24

25 MR. MELDRUM: We released a Draft Report of the Upper  
 26 Tanana C & T Analysis back at the end of January and early  
 27 February this year, and placed that out for review. The Tetlin  
 28 National Wildlife Refuge during a four-month review period  
 29 visited each of the five communities in the Upper Tanana  
 30 Region, meaning Dot Lake, Tetlin, Tanacross, Tok and Northway,  
 31 and visited with people -- explained to them what this process  
 32 was all about and tried to answer their questions.

33

34 Likewise, myself and some other people scheduled  
 35 meetings with the Upper Tanana Upper Forty-Mile Local Advisory  
 36 Committee on two different occasions to discuss this issue and  
 37 then brought it both to your council and the Eastern Interior  
 38 Council during that time period. So we tried to give a  
 39 widespread review of the draft document and try and make sure  
 40 people understood what we were doing, since this is a very new  
 41 process.

42

43 After that four-month period was over we had received  
 44 quite a few comments from people, some just from individuals,  
 45 but others more extensive from some of the communities. The  
 46 Dot Lake Village Council spent a great deal of time putting  
 47 some information together to explain primarily the differences  
 48 between the Native village and the White community or primarily  
 49 non-Native community that lives along the highway, all

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considered to be Dot Lake. They felt it was important to differentiate between those two social groups in that community. So they gave us quite a bit of information on that.

4  
5 The Upper Tanana Forty-Mile Fish & Game Advisory Committee, during the meeting, submitted a great deal of comments, primarily in oral form when we were there that we tried to incorporate into the reports. They wanted regulatory histories added and some other things which we did add to the final report.

11  
12 And then we got quite a few comments from the Community of Northway. And they have a person there that put together a lot of information specifically about that. And then the last thing that we got that was very substantial was that the local advisory committee essentially hired or employed a high school student to put together some information on Tok, which they felt was lacking in the report. And they sent in a great deal of comments on Tok.

20  
21 When I received all these comments, I tried to incorporate them into the reports so that people felt like they were represented there, and in most cases I sent the sections of the report that I had modified back to the commenter to make sure they felt like they were represented, and to a large degree they said that they were. The one exception was the Tok report that the local advisory committee submitted. I sent that back to them, but I -- they didn't respond, and I think it was just because of the timing and the level of work that was required to review it again to make sure they were represented. So I don't have an assurance that they agree with this final report wholesale, but I told them that they would have an opportunity to comment during that public comment period and at the Eastern Interior meeting, which will be held in Tok. So I'm sure that we'll hear their views then about whether they've been well represented or not in this final report.

37  
38 But the difference between the draft report then and this final report which I've mailed to you is that the public comments are incorporated into this. And I don't intend to change this again. If people still want to make additions or modifications to it, they'll just have to be submitted to the council members and the board separately as problems with this document. It's just too difficult to continue to modify it.

45  
46 And so where we're at on the schedule right now that I handed out, looks like the Kenai and the Copper River Basin schedule, a Gant Chart. We've completed the final report and recommendations -- staff recommendations that is, just the

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purple document, and now we're into meeting with this council and the Eastern Interior Council at the end of the month to review the proposed conclusions and the final report with them. Following that then the recommendations that I've prepared and any comments -- review comments that the councils want to forward, will be given to the Staff Committee and then to the Federal Board for review, and then a proposed rule will be published in the Federal Register. So this is prior to any decision making by the Staff Committee or Board that we're distributing this document to you.

11

12 I guess that pretty much concludes what's happened so far, so what -- how would you like to proceed on this now?

14

15 CHAIRMAN EWAN: I have no idea. Does council have any members here have any suggestion how you want to proceed with the report? Lee.

18

19 MR. BASNER: I don't have a suggestion at this point, but I have a question of Janis. You said the people in Tok -- if there were a lot of comments both from people in Tok and comments about Tok from other people outside of Tok, and they were incorporated in this blue book; is that .....

24

25 MS. MELDRUM: Yes.

26

27 MR. BASNER: Quoted verbatim?

28

29 MS. MELDRUM: Yes, in most cases. Sometimes it was a reference to their report and I summarized what they said. Perhaps they might have said it in a longer way and I tried to condense it. I did bring only one set of copies of the comments that came in during that public process that I could have with you to take a look at it, including that report on Tok.

36

37 MR. BASNER: Well, I'm just having trouble finding any comments on Tok. Can you point that to me, give me a page number?

40

41 MS. MELDRUM: Sure. Let me find one.

42

43 MR. BASNER: The individual comments, yes, because that seemed to be some dissention.

45

46 MS. MELDRUM: Oh, well, I should say from individuals we have two -- well, three individuals that commented. One person's comments could not be used, they were fairly threatening and they just said that we shouldn't do the wrong

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thing. I couldn't really put that into the report, so it wasn't used, but I took note of that when I was writing the conclusions up. The other two talked about their family uses and sharing with other people in the community. I didn't want to put that in there specifically about those people because that would be highlighting only that individual's comments and they're, of course, a very small part of the community of Tok. But what I tried to do was represent them in a general way of saying that people in Tok feel like they share resources more than what technical reports have led us to believe, instead of referencing that individual by name. So I think that I have well represented them, but you will not see those individuals' names in the report.

14

15 MR. BASNER: Okay. I'm still a little unclear, Janis. I misunderstood you at some point because I thought there were a lot of comments about Tok, and you've just made reference to three different people is all.

19

20 MS. MELDRUM: Well, yeah, those were only three individuals. Now what the Upper Tanana Fish & Game Advisory Committee submitted, I put almost everything that they had in their -- inside this report, and if you look under Tab 6, page 41, the first place where you start seeing their comments incorporated is in the third paragraph on that page, towards the middle of that paragraph, and again at the end I cited Upper Tanana Fish & Game Advisory Committee, 1994, and then below that Sanford '94 in Upper Tanana Fish & Game Advisory Committee.

30

31 MR. BASNER: Okay.

32

33 MS. MELDRUM: And I think you'll see them throughout the report.

35

36 MR. BASNER: Were any other communities -- did Tok get the most comment?

38

39 MS. MELDRUM: I .....

40

41 MR. BASNER: 'Cause Northway had quite a bit of comment, too.

43

44 MS. MELDRUM: There were a lot of comments from Northway but Tok was by far -- had the most, and Dot Lake also had quite a few. But the comments that were sent in by the Northway group of people I did have a chance to send the reports back to them, and they felt like I did a good job in representing them in the reports, as did Dot Lake. So it's the

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Upper Tanana Local Advisory Committee who commented on Tok that  
2 haven't gotten a response from.

3

4 MR. BASNER: Okay. Where I'm coming from on this is  
5 I'm like Roy, I just want to make certain that the local people  
6 had a good chance to input. Whether they did or not is their  
7 problem, but if they had the opportunity, and it appears in  
8 this case that they did and that they also commented. So  
9 that's where I was coming from, and I thank you.

10

11 MS. MELDRUM: Okay. And also if they feel like that --  
12 since some of these communities didn't have a chance -- or the  
13 Tok people didn't have a chance to review the final reports, I  
14 have these extra copies that I'll bring to these meetings, and  
15 they'll be there if there's any question then the council  
16 members can view them themselves and see what they said.

17

18 MR. BASNER: Mr. Chairman.

19

20 CHAIRMAN EWAN: Yes, Lee.

21

22 MR. BASNER: At this point then I think your looking  
23 for some comment on your report from this council, during this  
24 meeting, perhaps not at this minute, but during this meeting?

25

26 MS. MELDRUM: Yes. What I was hoping to accomplish  
27 today is to gain some approval of the -- that the final --  
28 we've done what we can to put the final report together, and if  
29 there's specific modifications that need to be made that the  
30 council might accept the report, but with the following  
31 modifications, whatever that might be, which would require  
32 fairly detailed analysis on your part.

33

34 But beyond that what I'd hoped to do is get your  
35 thoughts on how well you think this meets the mark of defining  
36 what customary and traditional use is for these five  
37 communities. And I think that would be the most important  
38 thing to have come out of this council, particularly in light  
39 of some of the comments that you've just made 15 minutes ago  
40 about making sure that some communities weren't infringing on  
41 the subsistence uses of others. And some of the communities up  
42 the Upper Tanana Region confine their uses to a fairly small  
43 area, within 25 to 35 miles of their community, but that's not  
44 true of all of them. So particularly for like Tanacross and  
45 Tok and Northway, some of their use areas have gone a little  
46 bit farther out, perhaps due to competition or lack of animals  
47 for whatever reason. So I think it would be worthwhile to  
48 hear your comments on how well these seem to represent your  
49 views of customary and traditional use.

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1  
2 MR. BASNER: Mr. Chairman, I recommend that we're going  
3 to have to have some time to look at this in order to make an  
4 intelligent response. I'd recommend that we somehow this  
5 evening try to sort it into our evening schedule, just some  
6 quiet time either here or back at the motel and then tomorrow  
7 morning maybe we could discuss the issue.

8  
9 CHAIRMAN EWAN: I (indiscernible - away from  
10 microphone) .....

11  
12 MR. BASNER: Yeah, I know, we're here this evening for  
13 public testimony. I can't study this and listen to the public  
14 at the same time, and .....

15  
16 CHAIRMAN EWAN: Are you suggesting tomorrow sometime?

17  
18 MR. BASNER: Yes. I think we should, yeah.

19  
20 CHAIRMAN EWAN: Any objections from other council  
21 members?

22 MR. LOHSE: I'm still a little bit confused as to what  
23 we're going to be doing on this. This is not our making any  
24 commendations, that's just our reviewing this as to whether  
25 the report is a good report, right, not deciding whether -- not  
26 making any C & T determinations on -- not making any C & T  
27 determinations on our part but just seeing if we feel that the  
28 report has sufficient information that we can use to make C & T  
29 -- you know.

30  
31 MS. MELDRUM: At this point all the council can do is  
32 provide review comments. After the 60-day public comment  
33 period you will be given the opportunity to look at public  
34 comments and actually make a recommendation to the board, but  
35 it's just review.

36  
37 CHAIRMAN EWAN: Excuse me. I think what Lee was  
38 suggesting is we look -- have a chance to look at this stuff  
39 maybe later this evening and maybe make some comments tomorrow.  
40 Would that be possible?

41  
42 MS. MELDRUM: Sure, that's fine with me.

43  
44 CHAIRMAN EWAN: If there's no objection, we'll do that;  
45 we'll place it on tomorrow's agenda.

46  
47 MS. MELDRUM: Okay.

48  
49 CHAIRMAN EWAN: Any more comments or questions before  
50

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She leaves here?

2

3 MR. LOHSE: Roy, I've had a chance to look over this.  
4 I've taken the opportunity to look over most of it.

5

6 AUDIENCE MEMBER: Speak up, please.

7

8 MR. LOHSE: Still can't hear? Does this one work  
9 better? Okay. I said I have looked over most of these two  
10 reports that you've given us right here, and I find a lot of  
11 information. There's sufficient information in here for me to  
12 use to make C & T determinations, and I think the reports are  
13 well done. That's my own personal feeling at this point in  
14 time.

15

16 CHAIRMAN EWAN: Janis, I did mention a concern about  
17 Tetlin's lack of, I guess input or most -- most of the -- I  
18 mean their comments, was that noted, moose in certain areas and  
19 so on; was that correct? I see across Tetlin there's no, no,  
20 for -- even at various units. I'm kind of concerned about  
21 that.

22

23 MS. MELDRUM: Both Tetlin and Tanacross declined to  
24 comment on the final report and I don't really know the reason  
25 why except maybe they felt like that draft report was too  
26 intimidating to review, but I would expect that and hope that  
27 we're wrong on these conclusions that either the councils or  
28 the local public will bring that to our attention, but because  
29 they sent no additional comments then I only used the published  
30 report on their community.

31

32 CHAIRMAN EWAN: Right. I just want to say that we come  
33 across that kind of situation at the Wrangle/St. Elias Resource  
34 Commission -- Subsistence Resource Commission Meeting. I have  
35 to do the talking practically for -- you know, Tetlin, saying  
36 what we know -- Fred John and I -- know that those people  
37 subsistence hunted and fished in Unit 11 in that particular  
38 area there. In fact I just came back from Mentasta, oh, about  
39 four days ago, and I talked with an elder, the oldest person  
40 here now probably, and he was telling me about the history of  
41 his small community and the relationships that they have with  
42 other communities, and he told me that Chief Luke from Tetlin  
43 related to practically everybody in the area up there. You  
44 know, his area is Mentasta, I'm talking about. And that's  
45 right next to the Wrangell/St. Elias National Park. So I just  
46 have concern about the people that didn't -- they say, no, they  
47 didn't hunt caribou or moose in Unit 11, 13, because I think  
48 different myself. I just wanted to put that on the record.

49

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1 MS. MELDRUM: Well, it's not too late for them to  
 2 comment, and two copies of this went out to them recently, so  
 3 perhaps they'll think differently about it now if they see how  
 4 the conclusions were written without the benefit of their  
 5 comment.

6

7 I'd like to just say one last thing. Helga and I  
 8 discussed the possibility of perhaps having one or two or I  
 9 don't know how many council members from Southcentral attend  
 10 the Eastern Interior meetings so that they could have the  
 11 benefit of some of the local knowledge that you represent on  
 12 this committee -- or this council as well, since it's an  
 13 overlapping C & T determination. I just throw that out for  
 14 consideration, either now or in future meetings.

15

16 MR. BASNER: Mr. Chairman, I think that's an excellent  
 17 idea. I don't volunteer because I don't know that part of the  
 18 country very well or the people involved. But .....

19

20 CHAIRMAN EWAN: You're getting very well informed, I  
 21 believe, Lee.

22

23 MR. BASNER: But how about Fred? He's from that area  
 24 and, you know, I don't want to put the guy on the spot since  
 25 he's not here to defend himself, but it seems to me he'd be the  
 26 ideal person.

27 MS. MELDRUM: I'll leave drafts for your review.

28

29 CHAIRMAN EWAN: Okay. Thank you, Janis. The next  
 30 item, we're going to read a letter from Sue Entsminger. Helga.

31

32 MS. EAKON: Sue Entsminger, from Tok, did have plans

33...

34 CHAIRMAN EWAN: Do you want to take a break before  
 35 this?

36

37 MS. EAKON: Okay.

38

39 CHAIRMAN EWAN: We'll have a 10-minute break.

40

41 (Off record)

42 (On record)

43

44 CHAIRMAN EWAN: I'll call the meeting back to order.  
 45 The next item that we were about ready to take up was a letter  
 46 from Sue Entsminger. Helga.

47

48 MS. EAKON: Yes, Sue Entsminger, from Tok, had called  
 49 and said that she was going to be here at this meeting,

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However, she suffered a sudden loss of a friend and could not be here today, and she did ask me to read these comments on her behalf. We do have copies of her memorandum on the signing table if you'd like a copy to take with you.

5

6 Dated October 4, 1994. To Southcentral Subsistence Regional Advisory Council Members. I would like to suggest some thoughts on the subsistence use in the National Parks in your region. ANILCA created Subsistence Resource Commissions, SRC, to each park unit. These SRC's play an important roll in the hunting of each park. So much confusion is created from all the committees, board, commissions, advisory councils, et cetera. The SRCs have been in place a long time and they should have a direct voice to the council and the Federal Subsistence Board.

16

17 I personally have spent 16 years working with the public process and going to meetings regarding the Wrangell/St. Elias Park. I believe the regional councils must take a close look at the parks and possibly treat them somewhat different due to the resident zone community process that has been regulation since the beginning of the parks. Local subsistence hunters of parks have been attending meetings since 1978 to preserve their hunting rights only to have them taken away by some board or government entity that has little to no knowledge of the local situation. The history of what people have gone through since 1978 to present is forgotten. If we're not careful we will be taking a hand in unnecessarily restricting parking -- hunting in the park.

30

31 What to do?

32

33 1. List all species as C & T in all the ANILCA created parks across Alaska.

35

36 2. Keep all resident zone communities that are set up after years of intense meeting process. There is no need to restrict any further than already defined by the multitude of regulations in place.

40

41 3. Set up a statewide policy as such. If this is not considered, the future may bring no use in areas of the park.

43

44 4. The state ANILCA team has much history to help you. Try and use them.

46

47 What you do on the Upper Tanana C & T process is critical. The Upper Tanana communities have use in the Wrangell/St. Elias National Park. When you look at C & T for

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them they should be included for a positive C & T for the whole park, not just pieces of the park. This should be considered for all parks across the state where resident zone communities have use of the entire park. I personally request the state to consider the same avenue, because as we mess with regulations we, too, can destroy opportunities.

7

8 This is the end of a memo from Sue Entsminger.

9

10 CHAIRMAN EWAN: Thank you, Helga. Are there any comments about the letter? Lee.

12

13 MR. BASNER: Yes, Mr. Chairman, I've got several comments and concerns. This lady has kind of painted some of these things with a broad brush. She's also got some real valid concerns here.

17

18 But when she says list all species as C & T in all the ANILCA created parks across Alaska, what does she mean by all species? I just don't understand. Is she talking about mammals and birds and fish and crickets or what? She wasn't specific there to respond to. And I don't understand her question about the resident zone communities that were set up and she wants them to be kept. I can only speak as a member of the Denali National Park SRC. We have not had any problem about our resident zone communities and in fact we have reinforced them, if anything. So I don't -- she may have a comment about Wrangell/St. Elias specifically that I'm not familiar with.

30

31 She says set up a statewide policy as such. Well, a statewide policy, I don't think the National Park Service considers the state as such when they're talking about policies applicable to national park lands in Alaska. Each preserve and park is managed specific to the peculiarities of that geographic region, and I think that probably should continue. She says the state ANILCA team has much history to help you try and use them, and I don't disagree with that at all.

39

40 But then I have a disagreement here when she says when you look at C & T, C & T for the people should be for the entire park and not just pieces of the park, and I don't agree with that. I'll give you a specific reason, again relating to Denali National Park. We now have a situation at Denali which will be discussed in more detail later, but we've got the people in Cantwell now authorized to go out the park road and drive 60 or 80 miles across the park and go out and hunt in Kantishna, because Kantishna happens to be in Unit 13(C) in which traditional C & T has found for the Cantwell people, and

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it's a little bit ridiculous because people are going out there to hunt now who never hunted out there in their life. They've gained an advantage over other people, and I think they've used the process to their own personal benefit rather than looking at the broad spectrum of C & T and subsistence use. So therefore I don't agree with this lady's comment here that the entire park should be considered rather than just pieces of the park.

9

10 Again, talking about our local situation in the Cantwell area, the Cantwell people have hunted for years and years in that strip of park addition along the eastern part of the park boundary, and they are now permitted to continue to do so. And as far as I can tell will be allowed to do so in the future. But that doesn't mean that they should be allowed to hunt in the western reaches of the park where they've never hunted in their life. So this lady has some good concerns, and I think we need to discuss them because she has sent this letter to us. These are my comments based on a cursory quick look at what she's had to say to us, and I'd like to get some comments from the other members.

22

23 CHAIRMAN EWAN: Thank you, Lee. Any other comments?

24

25 MR. LOHSE: Yeah, Roy. Sue gave me a call just before I left. I've known her for a long time. I haven't talked to her for quite a few years, but I also had to answer some of them the same way that Lee did. I didn't know that we were taking -- I didn't know that we as a board were taking out any resident zone communities. If anything I thought we had indicated that there were a couple communities that we wanted included in the resident zone instead of taken away from the resident zone. Particularly, if I remember right, it was Tetlin, Tanacross, wasn't it, that we wanted included in it. So I couldn't really follow, you know, where she saw the danger. I can see where her idea of having the whole park open, looking at the park as a unit, I can see where she comes from on that idea, but I can see the problems that Lee said, too. So I think we just have to be careful that in our process that we remember that our reason for being here is to provide subsistence opportunities for rural residents, Native and Non-Native in the state of Alaska, and that we're not here to take them away from people but to assure the continuation of subsistence processes that have been taking place in the past.

45

46 CHAIRMAN EWAN: Thank you. Any other comments? I would like to add my comments here, too. I think Sue has a good suggestion there at the very beginning, and that's to -- the SRC have -- play a role in the process. I guess -- what

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Does she say, have a direct voice to the council and to the Federal Subsistence Board. I don't have any problem with that. I think that that opportunity exists, I believe. But as far as the rest of the letter, what I gather from it is that she's concerned about losing ground, I guess. If you have established a resident zone community we should support continuing that community, keeping it eligible to hunt in the park. And also, I guess she's probably looking at what is happening statewide with so many commissions and boards and so many regulations and so much written reports. She's thinking, well, they're going to narrow our hunting area down to a very small area, and she doesn't like that. That's what I'm gathering from this. I kind of -- I guess I understand what she's saying in that respect.

15

Any other comments? If not, we'll move on to the next item. The next item is Information Exchange; is that correct, Helga?

19

MS. EAKON: Yes, it is.

21

CHAIRMAN EWAN: And Dick Pospahala wants to make a comment at this point, I believe.

24

MR. POSPAHALA: Thank you, Mr. Chairman. I'd like to thank you for the opportunity to address you briefly this afternoon. I don't intend to take much of your time, but one of the things that I've been trying to do over the last few days is to visit as many of the councils that are convening this week as I can to pass on a few observations that I've made over the past year in terms of the overall success and failures of the Federal Subsistence Management Program. And in my personal view, and I think it's shared in large part by all of the members of my staff and also by the individuals that I work with on a continuing basis.

36

In the interagency arena I want to tell you how much I appreciate the successes that I think we've enjoyed in working with the 10 newly established regional advisory councils over the past year. It was a year ago last August 18th that Secretary Babbitt made the initial appointments to these councils, and I think both on the federal side and among the membership and the councils, we entered into that process with a great deal of trepidation and concern about how things might work out for better or for worse. We've had, I think, a few rough spots along the way, but in my view the overall effort has been one that's been extremely successful, at least in my view, and I hope that it's been so in your view as well.

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1 It was highlighted for me, I think, on two occasions  
 2 last April; the first being the pre-meeting that was held the  
 3 day before the Federal Subsistence Board meetings began last  
 4 April in which we sat down with the chairs and vice-chairs of  
 5 each of the councils and aired concerns that we had had through  
 6 that first series of deliberations. With that behind us we  
 7 then moved into a week of board deliberations. The councils on  
 8 every occasion, I think, supplied very meaningful, concise and  
 9 valuable input to the board in their deliberations process and  
 10 it's a real credit, I think to you all that overall at the end  
 11 of the session now some 88 proposals that were acted on last  
 12 year by the Federal Subsistence Board, only about a dozen were  
 13 altered in any way, shape or form from the recommendations that  
 14 were made by the individual councils.

15

16 I think it's established a precedence for us to get  
 17 along on a very good foundation from the very beginning, and I  
 18 hope that as the years go by in the near future that we can see  
 19 a continuation of that very fine working relationship, and I  
 20 add my own personal gratification to the members of our staff  
 21 who have taken their responsibilities in terms of serving, if  
 22 you will, as staff to the regional councils in making every  
 23 effort that they can to provide the best quality of information  
 24 to the councils as they proceed in their decision making  
 25 process.

26

27 So I do want to take this opportunity to extend my  
 28 appreciation to you and also to staff within the Fish &  
 29 Wildlife Service and the interagency groups for their efforts  
 30 in this regard, because I think we're bringing the intent of  
 31 the statutory language in Section 805 to a full fruition (ph)  
 32 for the very first time.

33

34 Notwithstanding that, I think one of the things that  
 35 did happen last April was that we saw a very significant  
 36 deviation in the federal program from the way that the state  
 37 system had been managed in the past and as it was managed very  
 38 early on by the federal government. When we first became  
 39 involved in this program in 1990 we envisioned that the state  
 40 would very quickly place themselves in a position to regain  
 41 authority to once again assume jurisdictional responsibilities  
 42 for all of Title VIII. Now after a four-year period that has  
 43 not come to pass, and we did deviate in several ways from the  
 44 more traditional way that the subsistence management program  
 45 had been operated last year. I do want to reassert, however,  
 46 that at least in my mind that takes nothing away from the state  
 47 of Alaska in terms of their Department of Fish & Game. They  
 48 have a very capable and knowledgeable group of people. I and  
 49 my staff consider them as professionals in the highest sense of  
 50

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the word and colleagues in terms of their interest in managing the natural resources of this state to the best interests of both the subsistence user community and all the residents of the state. And we intend to do the best we can in spite of the philosophical and statutory differences to continue to have as productive a working relationship with them as we can over the long run.

8

9 (Coughs) Excuse me. Another significant element that I understand is included in some of the briefing materials that you have relates to a new effort on the part of the current administration to recognize more fully some of the national responsibilities with regard to the American Native community. On January 28 of this year, our director Mollie Beattie signed a new Native American policy that dictates in many ways how she expects the Fish & Wildlife Service people nationwide to recognize the sovereign status and a unique situation with regard to American Natives on a nationwide basis.

19

20 Alaska presents some rather unique problems for us in view of the fact that we have in excess of 200 individually recognized tribes. Theoretically that means that we would have to go out and attempt to establish an independent and individual working -- direct working relationship with each one of these tribes. We're trying to investigate alternative ways of doing that at this point in time through some of the more extensive statewide organizations. We started at this point in time with the Alaska Federation of Natives and with the Alaska Intertribal Council to try to use them as a vehicle to communicate with the tribal entities as a whole. That process is evolving at this time, and how it will work out in the long run I can't really say, but we do have on the -- within the council system as a whole across the 10 regional councils, I think, a very significant representation by members of the Native community in Alaska and to the extent possible, I think we'll continue to try to work through that system as well.

37

38 One of the things that the Fish & Wildlife Service has done in implementing this policy is to establish a national Native American liaison desk, and they've required that we also establish one in each of our seven regional offices nationwide. In this particular region, I've been given that responsibility for a number of reasons. Mostly because the people that currently are working in the subsistence management program have a more direct and continuing contact with the Native community in Alaska. We also have a rather unusual staff in that we have a higher than usual number of people that have social and cultural professional training that I think can contribute to a successful implementation of that program in

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Alaska. So over the next year or so we'll be pursuing that on a much more active basis than we have in the past.

3  
4 Lastly, and unfortunately not least important,  
5 importantly I had intended over the past week or so to develop  
6 written communication with each of the regional councils with  
7 regard to the disposition of their annual reports from last  
8 year. I thought I'd see a smile on Helga's face when I said  
9 that because several of the councils met their responsibility  
10 in terms of developing a report and forwarding it to the  
11 Secretary. Insofar as I'm aware, none of those councils have  
12 received a response from the federal government at this time.  
13 I'll accept full and final responsibility for that, and I'll  
14 make a commitment to you today that we'll try to follow up on  
15 that commitment as quickly as we can.

16  
17 With that, once again, I thank you for your very  
18 significant efforts in this program over the past year, and I  
19 continue looking forward to continuing those in the future.  
20 Thank you.

21  
22 CHAIRMAN EWAN: Thank you very much, Dick. Next item,  
23 we want to -- I believe the next item, it was suggested that we  
24 postpone till tomorrow?

25  
26 MS. EAKON: Excuse me. Under A., there is a Fishery  
27 Status Report, and I have asked Dick Marshall to give a brief  
28 report on that.

29  
30 CHAIRMAN EWAN: Okay. Sorry.

31  
32 MR. MARSHALL: Thank you, Mr. Chairman. Just to bring  
33 everybody up to date on where we are, I think it's best I go  
34 back and .....

35  
36 MR. LOHSE: Turn your mike on.

37  
38 MR. MARSHALL: Turn it on. Where's the switch?

39  
40 CHAIRMAN EWAN: On top of the mike.

41  
42 COURT REPORTER: Up above there.

43  
44 MR. MARSHALL: Okay, I've got it now. I'd just like to  
45 make a second and bring people up to speed because I think  
46 we've got, even in this small audience, a different  
47 appreciation of just what the regulations provide for at the  
48 current time.

49  
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1       The current regulations limit federal jurisdiction to  
 2 non-navigable waters except for certain federal lands which  
 3 were withdrawn by the federal government prior to statehood.  
 4 Those waters are described on page 7 of your regulation book,  
 5 if you have it handy. Basically what that consists of are  
 6 several -- two -- four refuges; the Kenai National Wildlife  
 7 Refuge and the Kodiak National Wildlife Refuge, some small  
 8 portions of the Yukon Delta National Wildlife Refuge, waters of  
 9 the North Slope that are on federal lands, and then there's  
 10 quite a few scattered marine waters that are part of the Alaska  
 11 Maritime National Wildlife Refuge. Other than those federal  
 12 lands, at the current time our regulations do not provide for  
 13 federal management of subsistence fishing on navigable waters,  
 14 which of course is where the bulk of the subsistence harvest  
 15 occurs.

16

17       That has been controversial since it began, that was a  
 18 policy call that was made when this program began in 1990.  
 19 It's been controversial both from a policy standpoint and from  
 20 a legal standpoint. The things that have happened most  
 21 recently that have had the greatest impact, last summer the  
 22 Native American Rights Fund filed a petition with the Secretary  
 23 of Interior that asked for expansion of federal jurisdiction to  
 24 the navigable waters of Alaska. That happened last summer and  
 25 there was a great deal of interest generated by that petition  
 26 back in Washington, a lot of questions being asked primarily by  
 27 legal folks back there as to what this might mean. And we were  
 28 kind of in the midst of dealing with that when the US District  
 29 Court reached a decision on what's been called the Katie John  
 30 case, which was litigation brought by some parties, Katie John,  
 31 et al on the Copper River subsistence fisheries.

32

33       Other litigation had been lumped with that, so all that  
 34 litigation was treated by the court as one, and on March 30  
 35 Judge Holland did reach a decision. In that decision he looked  
 36 at two doctrines, and it's not necessary to get into the  
 37 details of it, but basically one was called the Navigational  
 38 Servitude Doctrine, and by applying that doctrine arguably the  
 39 federal government would have jurisdiction over all navigable  
 40 waters of the state of Alaska, not just those on parks and  
 41 refuges and forest, but all navigable waters to include the  
 42 territorial sea, which is from the coastline out three miles.  
 43 The other doctrine that the courts looked at was called the  
 44 Federal Reserve Water Rights Doctrine, and by applying that  
 45 doctrine federal jurisdiction would be extended only to within  
 46 the exterior boundaries of federal units; parks, national  
 47 forests, refuges.

48

49       The court ruled that the Navigational Servitude

50

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doctrine was appropriate and, in other words, that the federal government would have jurisdiction over all navigable waters of the state, for the purposes of subsistence fishing. At the same time Judge Holland stayed implementation of that decision until the appeal process ran out. Right now that process is with the Ninth Circuit Court, and they are dealing with the issue now, and it's really unsure exactly when they'll reach a decision on that. There is some feeling that regardless of which way it goes this case may end up in the Federal Supreme Court.

11

12 So that's the litigation of it. In the meantime the Secretary of Interior did ask that the Federal Subsistence Board prepare a report that outlined both the steps that would be necessary and the resources that would be necessary to extend federal jurisdiction under those scenarios to the entire state and to just within federal units. And that report was completed and mailed to the Secretary on August 31. That report has not been approved for release yet by the Secretary, but we expect that to occur soon. There is really nothing hidden in that report, most of the issues and the steps and resources necessary have been the subject of a lot of discussion and briefing papers have been prepared in the past. There's really no surprise in that, and as you'd expect, what it comes out to, it's going to be a big thing if this happens, both for the users and for the federal agencies that may be responsible for extending their programs.

28

29 I would want to point out that in no way does any of this speak to federal management of other than subsistence fishing. It does not talk to federal management of commercial sport use. There is -- we'll be in the same situation though that we are with wildlife that in the event of restrictions for conservation purposes it may be necessary for the federal government to in some way curtail those other uses or what would, in effect, become federal waters. But I'd like to make it clear that this decision does not put the federal government in the position of managing other than subsistence fisheries.

40

41 There are a lot of questions, you know, that you might have on this, and I'll be glad to try to answer them.

43

44 CHAIRMAN EWAN: Are there any questions or comments?

45e.

46

47 MR. BASNER: Just one. I'm not trying to be funny, but would you -- what is the current definition of "navigable"?

49

50

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1 MR. MARSHALL: BLM is the navigational -- navigable  
 2 waters guru for the federal government, and there is a long  
 3 train of cases -- court cases that have tended to liberalize  
 4 over time just what navigability means. It, by law, addresses  
 5 commerce, that waters have to be either used or capable of  
 6 being used for commerce. Where the liberalization has occurred  
 7 has been with what is commerce. The most recent cases have  
 8 concluded that, for instance, river rafting, downstream use  
 9 only, is indeed sufficient to provide determination of  
 10 navigability. There are two levels of navigability  
 11 determination or valuation. One of them is administrative  
 12 determination, and that can be made by any entity. It can be  
 13 made by a landowner, it can be made by an agency, and that  
 14 agency, through some kind of restriction or regulation, will  
 15 make a ruling that addresses this as either navigable or  
 16 non-navigable water. That is not in itself a navigability  
 17 determination. Only the courts can do that. So what in effect  
 18 happened is that some agency or landowner does something which  
 19 assumes that that water is navigable or non-navigable, and if  
 20 there's a party that feels that that determination is in error,  
 21 that administrative determination, they take it to the courts  
 22 and the courts are the people that make that.

23

24 But, in general, it's very liberal, it has nothing to  
 25 do with the use of a motor to go upstream. It more or less  
 26 addresses and includes the use of certain watercraft, and  
 27 they're defined in regulation as -- it's a kind of a ghost boat  
 28 that BLM has created in their minds, and if this imaginary boat  
 29 can make it downstream, then it's ruled as navigable.

30

31 MR. BASNER: They only consider summer use?

32

33 MR. MARSHALL: You're talking about frozen water? It's  
 34 been discussed that indeed water -- ice is just water in a  
 35 different state, and, no, that has been discussed, and it's a  
 36 changing scenario as the courts look at this. Yeah, that has  
 37 been discussed. And I don't think I can give you a clearer  
 38 answer on that. I'm not a lawyer on this and I'm not sure the  
 39 lawyers on this would give you a straight answer either.

40

41 MR. BASNER: Well, I can see where this is headed. The  
 42 feds are going to take over every little creek in the entire  
 43 state, because if I run my snowmachine down a creek in the  
 44 winter from my trapline and sell my furs, that's commerce. So,  
 45 essentially, the federal takeover of waters in Alaska is  
 46 complete, from what you explained to us. I'm not attacking  
 47 you, but I'm just making a comment.

48

49 MR. MARSHALL: Especially under navigational servitude,

50

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yes. The Federal Reserve Water Rights would be much more limited, and I don't know where we're headed. But the impacts on agencies and people could be very, very significant obviously.

5

6 MR. LOHSE: Did I understand you right when you were saying on these federal waters if the federal government takes over control of the waters they will only be -- they will only be managing the subsistence part? So that would mean that the Alaska Department of Fish & Game would have to maintain a duplicate system in order to manage the sport and commercial part. So we'd basically have to have two complete entities -- just totally complete entities working on the same piece of water. So they'd have to come up with some pretty good cooperation in order to work together.

16

17 MR. MARSHALL: Well, yes. Oh, there's no doubt about that. I think you could draw a comparative to the present situation with wildlife where we do have two systems, but there is a lot of coordination.

21

22 MR. LOHSE: There's a difference though between the wildlife, and that's the fact that like if we take a look at what's going on, we've got the state managing wildlife on state land and Native land, and we've got the federal government managing the subsistence wildlife on federal land, and are they currently making the sport determinations on federal land also or is the state doing sport determinations?

29

30 MR. MARSHALL: The state still manages sport hunting and unless the board closes federal land to other uses, people can continue to hunt under state .....

33

34 MR. LOHSE: Regulations.

35

36 MR. MARSHALL: ..... regulations on federal land. And we're really not managing the resources as much as we're managing the use of that resource under those situations. But you're absolutely right about the degree of cooperation. We added it with wildlife, and if we get into fisheries we're going to need it even more. Most of the fisheries that are used -- the fish species that are used for subsistence purposes are anadromous and very highly migratory. They don't know the boundaries between federal and non-federal lands, nor the boundaries between navigable and non-navigable, for that matter. So the degree of cooperation is going to have to be maintained at a very high level.

48

49 MR. LOHSE: But there would also have to be a much

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greater degree of duplication. I mean from the federal standpoint it would take quite a resource block to manage fish resources, quite a much larger resource block than game management.

5

6 MR. MARSHALL: I think you're right. I think we would hope that the state would continue to manage the resource and monitor the resource, and our involvement would be limited to providing a subsistence priority where it's needed through regulations. This has got to be worked out. There is a lot of ways this could go.

12

13 CHAIRMAN EWAN: Any more questions or comments? For everybody's information, I might say that Ahtna Incorporated is in court with State of Alaska over navigability on the Gulkana River, and that's where the criteria will determine the -- whether creeks or streams were navigable or not. It was the State of Alaska that made it so liberal, you know.

19

20 MR. LOHSE: Roy, can I ask you a question? Which way is Ahtna going, whether Gulkana would be navigable or non-navigable?

23

24 CHAIRMAN EWAN: Well, that's already been determined in court; we were opposing that. We wanted it to be not navigable.

27

28 MR. LOHSE: Non-navigable.

29

30 CHAIRMAN EWAN: Yeah. And also, you know, generally speaking about navigability, I think a lot of people from the public think that just because a stream is navigable it's okay to walk alongside the river and so whatever you want to. The river itself is up to the -- where the vegetation begins. That's where the river ends. Once you get into vegetation then that's all land -- the other person that owns the land has management over it. Correct?

38

39 MR. MARSHALL: I don't want to get too much into the legalities of that. There's a lot involved there.

41

42 CHAIRMAN EWAN: I think that's what the regulations or whatever that came out says. If there's no other questions, then thank you very much. Now are we ready to go on to item 5? You want to postpone this till tomorrow; is that correct, Olga?

47

48 MR. LOHSE: Do we need a motion to that effect since it's on the agenda?

50

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1  
2 CHAIRMAN EWAN: Helga, you suggested that we -- this  
3 item B. be postponed till tomorrow?

4  
5 MS. EAKON: Yes. Because it was not made available to  
6 the council until very -- quite recently, it might be a good  
7 idea for you to speed -- maybe speed read it, get an idea of  
8 what it's about before you take it up.

9  
10 CHAIRMAN EWAN: Okay. Is there any objection to  
11 placing it on tomorrow's agenda? Hearing none, we'll order  
12 that it be on tomorrow's agenda. Let's move on to C., Charter  
13 Renewal Report. I don't know who is going to speak on this.

14  
15 MS. EAKON: Yes, if you recall at the last meeting the  
16 council talked at great length about any changes to their  
17 charter. If you look in your book under 8. C., you will have  
18 before you an unsigned copy of the charter that is presently  
19 before the Secretary of Interior for signature. The  
20 Interagency Staff Committee approved or recommended to the  
21 board that removal of members be okayed. Some of the council's  
22 commendation that if a council member appointed under  
23 paragraph 9 misses two consecutive, regularly scheduled  
24 meetings, the chair of the Federal Subsistence Board may  
25 commend that the Secretary of the Interior, with the  
26 concurrence of the Secretary of Agriculture, remove that  
27 individual.

28  
29 Now the charters that went to Secretary Babbitt carry  
30 that across the board, even though a council may not have acted  
31 as your council did, you said leave the charter as is. They  
32 changed that particular paragraph to be consistent in every  
33 single charter; in other words, the 10 regional council  
34 charters. As a matter of consistency I haven't heard yet when  
35 Secretary Babbitt is going to sign this charter.

36  
37 For those of you in the audience who are not familiar  
38 with council charters, the Federal Advisory Committee Act puts  
39 a two-year limit on federal advisory committees, so therefore  
40 this charter has to be renewed every two years, even numbered  
41 years. So the next time this charter will be renewed will be  
42 1996.

43  
44 Do any of you have any problem about -- remember you  
45 had moved that you wanted your charter to remain as is, but the  
46 Staff Committee and the board felt it better to apply it across  
47 the board; that provision that if a council member misses two  
48 consecutive meetings that may be grounds for removal.

49  
50

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1 CHAIRMAN EWAN: Lee.

2

3 MR. BASNER: I see what it says here. Refresh my  
 4 memory on what it said that we said we liked previously. I  
 5 don't have that in front of me.

6

7 MS. EAKON: The previous charter read exactly the same  
 8 way except it said three -- if a council member misses three  
 9 consecutive regularly scheduled meetings.

10

11 MR. BASNER: Okay. So it just changed to two from  
 12 three?

13

14 MS. EAKON: Yes.

15

16 MR. BASNER: The only comment that I have on this is  
 17 the -- it completely bypasses the other council members, the  
 18 council chair and all and goes directly to the chair of the  
 19 Federal Subsistence Board. I would think that we've skipped a  
 20 pretty important group in the determination. For example we  
 21 have a member here who has now missed two in a row. We know  
 22 more about that member and the reasons that he's absent or  
 23 present than does the chairman of the board.

24

25 MS. EAKON: That is the intent. This recommendation  
 26 would have to come from the council to the board.

27

28 MR. BASNER: It doesn't say that, unless it's in a  
 29 different paragraph.

30

31 MR. LOHSE: No, it doesn't.

32

33 MR. BASNER: This says the chair of the Federal  
 34 Subsistence Board may recommend to the Secretary of Interior  
 35 with the concurrence of the Secretary of Agriculture to remove  
 36 the individual. It doesn't say anything about the council  
 37 itself, and I would think that that's where the process should  
 38 start rather than at the Subsistence Board chair's level.

39

40 CHAIRMAN EWAN: My comment would be that I think we  
 41 ought to be included somehow in the process.

42

43 MS. EAKON: Mr. Chair, in the Operation's Manual, which  
 44 our council approved at the last meeting, on page 17 there --  
 45 is clarified: A member may be removed by the Secretary  
 46 upon recommendation of the board. This recommendation from the  
 47 board would be based on a recommendation from the regional  
 48 council. Regional council justification for a removal request  
 49 ought be the repeated absence of a member or members inability  
 50

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or unwillingness to represent the residents of the region.

2

3 MR. BASNER: I forgot that.

4

5 MS. EAKON: It is .....

6

7 CHAIRMAN EWAN: We are included in the process then?

8

9 MS. EAKON: Yes, you are included in the process.

10

11 CHAIRMAN EWAN: Well, is that satisfactory to the  
Council? Okay.

13

14 MS. EAKON: In that regard -- I don't know, it's up to  
you. In that regard and while we are on this very topic,  
Council perhaps the council wants to discuss the two  
consecutive missing of meetings by Gary Kompkoff from Tatitlek.

18

19 CHAIRMAN EWAN: All right. The floor is open for any  
discussion on absence of two regularly called meetings of the  
Regional council of Gary Kompkoff. Yes, Lee.

22

23 MR. BASNER: I don't want to monopolize the microphone,  
but in the absence of any other comments I'll start this one  
off, too. I personally feel that when I agreed to serve as a  
member of this council that I agreed that this council was  
important enough that I would take my own personal time or time  
away from business or whatever to the best of my ability,  
during unforeseen circumstances, to attend these meetings  
because it's very important. As an example, today we just  
barely have a quorum, and we could have gone to a lot of time  
and expense, including the staff with all their hard work and  
not have had a quorum. And each individual can have a problem  
that certainly excuses him or her, but I think it's very  
important that we take on this responsibility very seriously,  
and barring emergencies such as -- examples would be a death in  
the family or serious injury or illness to the individual, that  
it's incumbent upon individual council members to attend these  
meetings. If they find with good intention that they wanted to  
do that when they accepted the appointment and then find that  
they can no longer fulfill that commitment, I think it's  
incumbent upon the individual to turn in a letter of  
resignation.

44

45 Having said all that, that's just the way I personally  
feel my responsibilities as a member of the council. Now to  
address the individual who has missed two meetings in a row, I  
hold Gary absolutely no animosity whatsoever. I really wish he  
were here because he does provide valuable input from a part of  
50

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Alaska about which I'm not very familiar. But that still -- I don't know why he wasn't here this time. He says he had village responsibilities, he is a village manager, elder, chief -- what's the proper term? I'm not certain.

5

6 MS. EAKON: Village chief. According to his letter, he says village chief.

8

9 MR. BASNER: Okay. And he was the village chief when he accepted the appointment. And his previous absence was due to a water shortage in his village. This one is due to unspecified nature. So I think we need to kick this one around a bit to see whether or not we think that Gary has fulfilled his responsibilities as far as attending the scheduled meetings.

16

17 CHAIRMAN EWAN: Ralph.

18

19 MR. LOHSE: Well, I know we discussed this when we went over the charter thing to start off with, which is one of the reasons that we stuck with three instead of two. The fact that we recognized that, you know, yourself, myself, all of us have different responsibilities that sometimes might preclude us from making one of these meetings. We thought at that time that if you missed three of them it was too much because it's basically a year to a year and a half. I'd hate to lose Gary myself because Lee said he does represent a part of Southcentral that isn't touched by any of the rest of us. I'd be the closest one to that, but I still don't represent that part of the sound. I didn't expect him here when I came from Valdez yesterday because I didn't see any way he was going to get out of Tatitlek yesterday. The seas were about 12 to 15' high as I went by Tatitlek on the ferry, and the ferry did not stop at Tatitlek, so I was not surprised not to see him here. Now what kind of things that storm could have brought up in the village I don't know. I myself would personally prefer to -- you know, as a committee, I'd personally prefer to stick with our original thought of three and see what happens. I'd like his input.

40

41 CHAIRMAN EWAN: Ben.

42

43 MR. ROMIG: Yeah, I'd like to, you know, hear Gary's excuse more specifically than a general -- you know, the issues that came up in his village, being more specific, then make a decision.

47

48 CHAIRMAN EWAN: Is there any way that we can do this? Have Helga ask Gary to be more specific about what his problems

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are in not attending and so forth; is that what we're talking about?

3

4 MR. LOHSE: Roy, maybe at the same time we could ask him if he feels that this is going to be something that comes up in the future that he's finding that he's too pressed for time that he really can't take part in the committee, and if he feels that way, then suggest that for the sake of the committee maybe he could, you know, resign so we could find somebody else, but, you know, at the same time let's find out what his reasons are, and ask him whether, you know, can he continue to make the commitment to be here, 'cause we really do need him.

13

14 CHAIRMAN EWAN: Do you want Helga to do that or do you want the chair involved?

16

17 MR. LOHSE: I'd like to see the chair involved, and then get your comments on how you feel about what you hear.

19

20 CHAIRMAN EWAN: Well, I can do that; I can call Gary. He has a phone, doesn't he?

22

23 MS. EAKON: It's right there on his letter.

24

25 CHAIRMAN EWAN: Okay. Generally comment about this whole situation, as I recall back when we discussed this particular issue, we talked about the possibility of not even meeting three times during the year. There was some reason why we didn't -- somebody mentioned, maybe two or three meetings were too many meetings, that would be the whole year, and -- I don't know, do you recall anything about that, Lee, the reasoning we were discussing this?

33

34 MR. BASNER: One of our concerns was weather. Many of us travel long distances, in some cases you're dependent upon your aircraft or watercraft, or even a snow covered highway where you just can't make it, and I think we were concerned that because this is Alaska and weather can get pretty nasty, that we didn't want to limit ourselves too much, but still we were -- we just felt that if you've missed three meetings in a row, that's over one year, you're not up to speed, you're not able to participate in the discussion, and I think that was our main concern. And I think that my recollection is when we discussed the weather, that is an excusable absence. You can't control the weather. If the planes can't fly or the snow plows haven't plowed the road, you just can't get here. That's certainly excusable and wouldn't go down as an absence. But we were very concerned that -- it's bad enough now when we meet, it's six months or more so apart, and you have to sit down and

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do your homework and try to get back up to speed, be thinking about these issues. If you've missed two or three meetings, you're essentially out of it, and you don't have that historical knowledge that you need to bring to the council.

CHAIRMAN EWAN: All right. If there's no objection, I'll call Gary and maybe report back to Helga and we'll keep you informed about what we find out. Maybe we can make a recommendation at the next meeting concerning this particular issue.

MR. LOHSE: Roy, can I ask Helga a question? I'm trying to remember. You say Gary missed the last meeting that we had and then this one here, and then the meeting before that when we were working on the .....

MS. EAKON: C & T.

MR. LOHSE: ..... C & T. Is that when he had to excuse himself early because he had a lot of stuff to do that time, do?

MS. EAKON: Yes.

MR. LOHSE: Yeah, I'm wondering if maybe he's just not overbooked, overloaded, you know. And that's a thing to ask him, you know. I know we like to help out and be a part of everything, but maybe just -- you know, just ask him if he isn't so overbooked that he just doesn't have time to put into it.

MS. EAKON: Mr. Chair. I was wondering, you know it takes a long time to fill a seat. It's just the way it is. My suggestion would be if you could do it tonight, try -- use your calling card, your chairman calling card and try to find out and then report back to us because if we leave it hanging and my concern is that it just takes a long time to fill a vacancy.

CHAIRMAN EWAN: If I can get a hold of him, I'll do that tonight. I can make that commitment.

MR. BASNER: When is his term up? Was he a two-year appointee or three or .....

MS. EAKON: His term would be up in 1996. He was a two-year appointee.

CHAIRMAN EWAN: I guess one final comment. It would be

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that I guess we're all busy. I'm a pretty busy person myself, but I -- when I commit to something I feel that it's an obligation that I committed to and I try to make every effort to schedule my time away ahead a time by -- I get a lot of help from my secretary, but we make it -- we try to make all the meetings that we commit in advance. I'm scheduled for next week, I'm completely booked for the next two weeks practically. But that's how it is. I think that being busy is not a legitimate excuse. I think if there might be an emergency, whether a emergency in the village, maybe the waterline broke or something or something happened that's unforeseeable, then I think we can excuse a person. But just being busy is not an excuse, in my opinion. We're all busy.

14

15 MS. EAKON: I have a correction. Gary Kompkoff has a three-year term; his term expires in 1996.

17

18 CHAIRMAN EWAN: All right. We'll go on to the next item, which is -- are you done, by the way, on the charter?

20

21 MS. EAKON: Yes. And I will send you a copy of the signed char- -- renewed charter when I get it.

23

24 CHAIRMAN EWAN: The next item is Item B., Council Nominations, Recruitment Process, 1995.

26

27 MS. EAKON: We ran into enormous problems this year. We started off really well in trying to recruit people for the councils, this whole recruitment process. I mean we had really, really good responses by way of applications and nominations. Where we fell down was panel recommendations and then the Interagency Staff Committee recommendation, and then finally board action. So this time for 1995 we're going to start it early, and then Bill Knauer is setting up a flow chart with time lines that we must follow so we don't fall into this big problem we had of not knowing who was officially appointed or not knowing new members names until the very last minute, and that was because Dick Pospahala went out to Washington, D.C. and personally, I guess, handcarried these documents around to make sure that Mr. Babbitt finally signed them.

42

43 I had a question on council involvement in the commendation process, and Keith Goltz, who is solicitor for the board said that at the very most the council members should provide a list of the applicants, and it is up to the discretion of a council if the council members want to make commendations to the board on reappointments or applications.

49

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1 CHAIRMAN EWAN: Any comments? Okay, thanks for the  
2 report. We'll go on to the next item, item E., Cooperative  
3 Agreements Update.

4  
5 CHAIRMAN EWAN: Now we shall rely on the guidance of  
6 Taylor Brelsford on this topic.

7  
8 MR. BRELSFORD: Thank you, Mr. Chairman. Ready?

9  
10 COURT REPORTER: No, it's not on.

11  
12 MR. BRELSFORD: How about now? That's much better.  
13 Okay, on the cooperative agreements, I think you will be  
14 familiar with the fact that the Copper River Native Association  
15 in the Southcentral Region has one of these Cooperative  
16 Agreements. So what I'd like to do is mention some of the  
17 activities that Cooperative Agreements are funding and focus a  
18 little more specifically on the agreement that's in the  
19 Southcentral Region that you guys have responsibility for.

20  
21 So to begin, the Cooperative Agreements are established  
22 under Section 809 of ANILCA, and it's a very general section  
23 that allows the board, the Federal Subsistence Management  
24 Program, to cooperate with all kinds of organizations. The  
25 State of Alaska, universities, tribes, tribal associations to  
26 conduct activities that will help implement an effective  
27 subsistence management program. It's pretty wide-ranging, so  
28 we've done several different things. We actually -- the  
29 Federal Subsistence Management Program has had a cooperative  
30 agreement with the Alaska Department of Fish & Game right from  
31 1990, and starting in about 1992 the Federal Subsistence  
32 Management Program entered into Cooperative Agreements with  
33 regional tribal associations. The first of those was with the  
34 Tanana Chiefs Conference in the interior. Another was with the  
35 Association of Village Council Presidents in the Yukon Delta  
36 area, centered around Bethel. The third is in the Council of  
37 Athabascan Tribal Governments area, CATG, based in Fort Yukon.  
38 So those were the first three.

39  
40 Then more recently, as I say, both the BLM and the  
41 National Park Service have entered into a Cooperative Agreement  
42 with the Copper River Native Association. The activities that  
43 these Cooperative Agreements have funded, there's basically  
44 three topics. The first and probably most of the money that's  
45 involved, is going to collect information about subsistence  
46 hunting in the member villages of these regional tribal  
47 associations.

48  
49 So what the tribal associations are doing is very  
50

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Similar to the community studies that the Alaska Department of Fish & Game Division of Subsistence has done over the years Household by household, asking what animals people have harvested during the year or what areas they have used in hunting, questions of that sort. They've used a bit of a new technique in the CATG Region and in the Tanana Chiefs Region. For example, they're using harvest calendars that are, you know, regular calendars where people are asked to mark in on the day that they take animals, what they've taken, the sex, the approximate age, the location of a harvest; sort of basic harvest data. It's marked in on the calendar. And then a village staff person goes out and collects the calendars and looks over them and fills in the blanks or asks if there's anything they've forgotten or so on, kind of fills them in every other month, and then those are gathered together and compiled and forwarded to our board in the event that allocation decisions or seasonal harvests, questions about what seasons people have harvested games; those kinds of questions the board would have new and better information based on these household surveys conducted by the tribal association.

21

22 So subsistence harvest information is really the first  
23 and the main activity that the Cooperative Agreements have  
24 provided some funding for.

25

26 The second activity touches on planning and providing  
27 support for Cooperative Management Programs. This has occurred  
28 primarily in the AVCP Region. These Cooperative Management  
29 plans you guys may have heard of are an effort to get village  
30 representatives together with ADF&G, wildlife biologists and  
31 federal resource managers to mutually figure out what's going  
32 on with a resource. This process started some years ago with  
33 the Arctic nesting geese, the waterfowl agreements in Western  
34 Alaska or more recently some of the efforts that we funded  
35 focused on the Kilbuck caribou herd, for example.

36

37 So first of all it's to try and get everybody to agree  
38 on what the status of that stock is, especially if there's a  
39 conservation problem. If all the people involved recognized  
40 the problem then they can work together to resolve it. So  
41 there's an emphasis on -- a common understanding of the status  
42 of the resource, and then trying to figure out conservation  
43 measures, maybe limiting the subsistence harvest until the herd  
44 recovers, things of that sort that are kind of a consensus  
45 among the village representatives and the managers, and we have  
46 three of those Cooperative Planning efforts going on out in  
47 Western Alaska and the AVCP Agreement. Kilbuck caribou is one.  
48 The brown bear harvests in Western Alaska is a second area to  
49 try and develop this cooperation, and the other one is moose on

50

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the Lower Yukon River where the species is just establishing itself and there's an effort to kind of moderate the subsistence harvest while the herd is becoming well established.

5

6 Now the final topic under the Cooperative Agreements is to ask a little bit more information about those eight factors that we come up against in the C & T analyses. I think in our work on the Kenai, you remember there was a lot of categories where we had no information, no information, no information. In the CATG Region where the customary and traditional evaluation is going to take place this year and next, the Tribal association is interviewing member households on some of those eight factor questions together, new information for the C & T analysis. So those are the three activities filed under the agreements.

17

18 To be a bit more specific about the Copper River Native Association, it includes funding from both the Bureau of Land Management and the National Park Service. Their project is focused on documenting historic use areas, the maps. And historic levels among the Copper River Basin communities, focusing especially on moose and caribou. They're doing something new that we haven't seen done before. Roy, you'll know this, the regional corporations under ANCSA conducted some interviews on historic sites, there were some special land selection rights, and as part of getting ready for that they did oral history interviews. Well, Copper River Native Association wants to go back to those interviews to find out about historic resource patterns. So instead of duplicating things, this is a chance to make double use of some work that's already been done. So CRNA has a staffer who is going back through those things and trying to identify areas of harvest and species used and so on. That information is being mapped with computers. It's referred to as a Geographic Information System, and once they made complete use of the oral history tapes then CRNA and their consultants from the university will evaluate whether they ought to go do some new interviews to fill gaps or kind of complete the project. So the CRNA project is well under way, and the results are anticipated for early in 1995, and here in the CRNA study, the idea is to feed that information into the Copper River Basin C & T evaluation that Bruce was talking about with you a few minutes ago.

44

45 So I hope that kind of paints the big picture on Cooperative Agreements, and I think that's all I had to offer. 47 If you have any questions I'd be happy to answer them.

48

49 CHAIRMAN EWAN: The last thing you mentioned, the

50

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Copper River, what they're doing over there, I just wanted to add that I think they're working with BIA on allotments, too. You know, the BIA has a lot of subsistence uses information on their application. I think they're incorporating that, too.

5  
6 MR. BRELSFORD: Good point.

7  
8 CHAIRMAN EWAN: Any questions on the Cooperative Management Agreement? If not we'll move on. 1994 Annual Report.

11  
12 MS. EAKON: Yes, Mr. Chair. As your coordinator, I was very gratified to hear Dick Pospahala personally make a commitment that the regional councils which did submit annual reports in 19-- last year, will get responses. Remember at our last meeting when we were talking about annual reports, this council made some suggestions. Specifically Lee Basner thought we shouldn't concentrate on data but on new information; Gary Oskolkoff thought that it should be sent to the Secretary of Interior with a copy to the chair of the Federal Subsistence Board; Ralph Lohse thought that council recommendations should be in the report, and if there was -- no action was taken on a recommendation, the council could request action from the top, down from the Secretary. And Gary Oskolkoff gathered that somewhere near the end there should be short mention of what has actually changed due to council recommended actions

28  
29 The Interagency Staff Committee has asked each regional council to revisit the number of seats on your council and also your council geographic representation, specifically are you satisfied with the number of seats on your council and do you think that the geographic areas within your region are adequately served?

35  
36 CHAIRMAN EWAN: Are you posing that question right now?

37  
38 MS. EAKON: Yes, I'm posing that question now because this was a direction from the Staff Committee.

40  
41 CHAIRMAN EWAN: From my standpoint I think seven is an adequate number. Whether we're representing adequately the whole region, I don't know. I know that the Copper River area is very well represented by Fred and I, I believe. I'll let your council members comment. Ralph.

46  
47 MR. LOHSE: Well, I was trying to think of -- just going through my mind where everybody's from, and I don't see an area that's in our Southcentral Region that doesn't have

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3 somebody from fairly close to that -- you know, pretty close  
 2 connections with it. I think we have a fairly good cross  
 3 section right now. I'm .....

4

5 CHAIRMAN EWAN: (Indiscernible - away from microphone)

6

7 MR. LOHSE: Well, in a way it would be nice to have a  
 8 couple more people, but then you have to have some more people  
 9 for the quorum, and you get -- it gets unwieldy. Seven is a  
 10 good round number. I think that -- seven is a good uneven  
 11 number, not round number, but I think seven is adequate. I  
 12 don't see where any more are needed.

13

14 CHAIRMAN EWAN: Ben.

15

16 MR. ROMIG: I have to concur with Ralph's side. I  
 17 think a big concern of mine would be, you know, getting a  
 18 quorum together if we got more members. But right now as it  
 19 stands, I think we have a good representation throughout the  
 20 area.

21

22 CHAIRMAN EWAN: Lee.

23

24 MR. BASNER: Yeah, I concur, both geographically and  
 25 numerically.

26

27 CHAIRMAN EWAN: All right. Is that adequate for you,  
 28 Olga?

29

30 MR. LOHSE: Mr. Chairman.

31

32 MS. EAKON: Yes. Maybe we could cover this in a  
 33 motion.

34

35 CHAIRMAN EWAN: Okay, I'll entertain a motion to that  
 36 effect, that we support our number and geographic  
 37 representation.

38

39 MR. LOHSE: Mr. Chairman, I'll so move. I'd just like  
 40 to make a comment that even with three people short here, we've  
 41 got somebody from every area in our Southcentral Region, so,  
 42 you know, maybe not the coverage we'd like, but we do have a  
 43 broad cross section today. So I so move that we support the  
 44 seven and that we have an adequate cross section.

45

46 MR. BASNER: Second.

47

48 CHAIRMAN EWAN: There's a motion and a second. Any  
 49 further discussion on the motion? If not, all in favor, say

50

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1 Aye.

2

3 IN UNISON: Aye.

4

5 CHAIRMAN EWAN: Opposed by the same sign?

6

7 (No opposing response)

8

9 CHAIRMAN EWAN: Motion is carried.

10

11 MS. EAKON: Excuse me. Who seconded the motion?

12

13 MR. LOHSE: Lee.

14

15 MS. EAKON: Ben?

16

17 MR. BASNER: I seconded the motion.

18

19 MS. EAKON: Oh, Lee. Thank you. Oh, about the 1994  
20 Annual Report, judging from your comments at the last meeting,  
21 I guess you want to focus on recommendations, and I guess now  
22 would be an appropriate time to ask you if you have any  
23 recommendations that you would like to be put into the annual  
24 report.

25

26 CHAIRMAN EWAN: All right. Council members?

27

28 MR. LOHSE: At this point, Roy, -- Mr. Chairman, I have  
29 recommendations of any regulation changes.

30

31 CHAIRMAN EWAN: Lee, do you have comment?

32

33 MR. LOHSE: Well, we didn't get a response from the one  
34 last year. I'd hate to make the same speech that I made a year  
35 ago, but I'm going to make it anyway. I was opposed to the  
36 Annual Report a year ago because having sat on the State  
37 Regional Council, we had at that time a permission, not a  
38 requirement, to make an annual report to the Secretary. And we  
39 made annual reports and they never went anywhere and we never  
40 heard anything back from them, and I made this same speech a  
41 year ago saying that I just really don't feel that our time is  
42 going to be well spent compiling an annual report. If you all  
43 want to do it, all right, then I'll participate, but I don't  
44 think it's going to amount to much. Here we are a year later,  
45 we didn't get our annual report back for comment yet, although  
46 we do have a promise from Dick Pospahala that he's going to get  
47 it.

48

49 I think we ought to give Dick a promise back and say,

50

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tell you what, you give us our report back from last year and we'll promise to get you another report. But having said that, if you and other council members really want to participate in another annual report, I'll go along with it, but my heart is not in it.

6

CHAIRMAN EWAN: Any more comments? I didn't make a speech last year, but if I think you people -- the Federal Subsistence wants an annual report, the Secretary of Interior wants an annual report from the advisory council, I don't have any objection in participating. Any comments?

12

MR. LOHSE: Well, Mr. Chair, I didn't know that -- whether or not we had an annual report was up for discussion. But if that would be up for discussion, I'd have to go right along with Lee. I think we have better things to do than put out annual reports that don't change anything and really don't get read. I think we could spend more time on C & T and on recommendations and things like that instead of annual reports.

20

CHAIRMAN EWAN: Okay, we'll just leave it at that. Ben, do you have any comments on it?

23

MR. ROMIG: No.

25

CHAIRMAN EWAN: Okay. Anything else, Helga?

27

MS. EAKON: No, I will not do anything then per your direction.

30

CHAIRMAN EWAN: What does the council members want to do here? It's close to five o'clock. Do you want to take a break and -- okay, Lee says time out. Is that all right?

34

MR. LOHSE: We have the meeting starting at seven o'clock this evening?

37

CHAIRMAN EWAN: Yes, we will begin again at seven o'clock and we will have public comment during that time. All right. Do you have a comment here before recess, Taylor?

41

MR. BRELSFORD: In this room?

43

MS. EAKON: Yes, this room. We have reserved this room. We will meet again here.

46

MR. LOHSE: Then do I understand you right, Mr. Chair, we'll -- we will put the public comment at the start at seven o'clock and then go on with the current agenda?

50

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1  
2 CHAIRMAN EWAN: Yes. All right. We'll recess at this  
3 time and reconvene at seven o'clock.

4  
5 (Off record)  
6 (On record)  
7

8 CHAIRMAN EWAN: Okay, I'll call the meeting back to  
9 order. Before recess I announced we would open the meeting  
10 with public comment, so at this time if there is anybody here  
11 that wants to make public comment, they may do so. Does anyone  
12 here want to make comment?

13  
14 MR. LOHSE: Yeah, where did he get the ice cream bar.  
15

16 CHAIRMAN EWAN: If not we'll go on to the next item on  
17 the agenda, item G., under New Business; Special Action 94-01,  
18 by Fish & Wildlife Service in response to Alaska Department of  
19 Fish & Game's Adjustment to a Lynx Season in several units, and  
20 this would be Robert Willis?

21  
22 MR. WILLIS: Right. Yeah, I'll run through that, Roy.  
23 This special action came about as a result of an emergency  
24 closure that was done by the state to close lynx trapping in  
25 units 6, 14 and 16. Several years ago the state adopted a  
26 policy which they call their tracking harvest strategy to use  
27 to set their lynx seasons, and basically this involves  
28 watching both the harvest and the percentage of kittens born  
29 the previous spring that are in the harvest to determine  
30 whether the population is declining, decreasing or remaining  
31 relatively stable.

32  
33 As a result of this action, I guess two years ago was  
34 the first time we went through this situation. This is -- the  
35 lynx data is one of those -- it's one of those situations where  
36 the data comes in after the board meeting in the spring, and so  
37 there's no way to address for the coming season prior to this  
38 time of the year. In this case the harvest data comes in in  
39 the summer and so the state deals with that if they have to  
40 make a change by an emergency order, and the board has  
41 previously adopted the state's tracking harvest strategy or  
42 acknowledged, I should say, that this is a good system of  
43 management, and while retaining the right to make decisions on  
44 themselves as to whether to change the federal regulations.  
45 When the state -- this is the second time this has happened.  
46 When they issued their emergency order to close the season in  
47 these three areas we responded by doing an analysis to  
48 determine if we should also close the season on federal lands  
49 in those same units.

50

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1  
2 There is another change which would involve actually  
3 expanding the season somewhat in Units 11 and 13. This is due  
4 to a holdover regulation from 1990 when the federal program  
5 began. It really has nothing to do with the lynx season or  
6 changes in the population, I should say; it has to do with the  
7 fact that the Federal Board adopted the state regulations in  
8 1990. The state subsequently relaxed the restrictions on lynx  
9 trapping in the state regulations because the populations had  
10 improved somewhat, and the Federal Board was never asked to do  
11 the same. And so that's the reason that you'll see this  
12 expansion of the season in Units 11 and 13.

13  
14 As you're undoubtedly aware, lynx are cyclic in their  
15 populations. They tend to follow the snowshoe hare populations  
16 quite closely, and most of the state has been in a snowshoe  
17 hare low now for a few years, and lynx population have declined  
18 in the same manner. It's been proven that excessive trapping  
19 during these periods of low lynx populations can further  
20 depress the population and also keep it from coming back when  
21 the hare numbers come up again. In the units in question here,  
22 Units 6, 14 and 16, the lynx harvest declined significantly  
23 from 1992 to 1993. The harvest in '92/93 was 199 lynx, and  
24 last year, '93/94, it dropped to 113, which is a 43% decline,  
25 and the percentage of kittens in the harvest also declined from  
26 about 18% in 1992/93 to only 8% -- only 4%, excuse me, in  
27 1993/94. So this is a pretty significant indication that the  
28 population in those units is in a rather severe decline, and  
29 this is the reason the state has proposed closing the seasons  
30 in those areas.

31  
32 There were not a great number of lynx taken in the  
33 three areas that we're proposing. Only 18 were harvested last  
34 year in Units 6, 14 and 16. The rest of those were harvested  
35 in 11 and 13 -- 99 in 11 and 13, and we have some information  
36 on who did harvesting also. Only two of the 18 taken in Units  
37 14 and 16 last year were taken by federally qualified  
38 subsistence users. So there is almost no trapping being done  
39 in those units by a qualified rural resident. Most of the  
40 trappers in that area come from the Anchorage, Wasilla, Palmer  
41 area. And in 11 and 13 there's a much higher percentage. 78  
42 of the 99 lynx taken were taken by subsistence users in those  
43 units, and so the expansion of the season in those units  
44 would be beneficial to the subsistence user.

45  
46 I believe that pretty much runs through the numbers.  
47 If anybody has any questions I'll take those at this time.

48  
49  
50

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1 MR. LOHSE: Rob, the only thing that I can see on it is  
 2 you've got 6, 14 and 16 combined, and you talk about most of  
 3 the lynx that are taken in those areas are taken by Anchorage  
 4 people by non-rural residents, and yet in Unit 6 almost all the  
 5 lynx are taken by rural residents. I know that the take in  
 6 Unit 6 was extremely low last year. Unit 6 traditionally has  
 7 an extremely low take of lynx. They're taken incidental to  
 8 guys trapping mink and muskrats and wolverine and wolf. It  
 9 just doesn't have any lynx population. In fact the only times  
 10 Unit 6 gets a lynx population is when you've got an extreme  
 11 high in Unit 11 and they come over the top of the glaciers and  
 12 drop down on Unit 6. That's the historical pattern in the  
 13 years that I trapped up in the Interior when we had a  
 14 population. My father-in-law and brother-in-law have all  
 15 trapped in Unit 11, and they would have lynx come over the top  
 16 of the pass. But the climatic conditions in Unit 11 doesn't  
 17 support much of a lynx population.

18

19 The only thing I can say about a closure on lynx in  
 20 Unit 6 is there's no effort on lynx. What you'll do is the one  
 21 or two lynx that are trapped by somebody trapping something  
 22 else will basically become an illegal lynx, and I don't think -  
 23 I'm not sure if there were any taken last year at all. I'd  
 24 have to look at the records, but if there were two taken by  
 25 rural residents, they were probably taken in Unit 6, because if  
 26 I remember right, Cordova is classed as a rural community, and  
 27 everybody there would be a rural resident.

28

29 MR. WILLIS: I probably have those numbers here to see  
 30 where those two came from. (Pause) Maybe I don't have it.  
 31 I'll take your word for that fact, that they probably did come  
 32 from that area. Whether or not it's worth having a separate  
 33 regulation for Unit 6 because of those two lynx, you know, is  
 34 something you'll have to decide for yourself. We try to  
 35 simplify the regulations wherever we can, and for two lynx I  
 36 will tend to have the federal regulation be the same as the  
 37 state regulation just to avoid confusion on the part of the  
 38appers.

39

40 MR. LOHSE: Yeah. I just was wondering why 6 was -- 6  
 41 was lumped with 14 and 16. I mean it's a total different set  
 42 of users. Other than the fact it's lumped there 'cause the  
 43 state basically closed lynx trapping in that area, right?

44

45 MR. WILLIS: Yeah, that's right. That was the  
 46 regulatory change that they made, and I did not question why  
 47 they lumped those together. I don't have your knowledge of the  
 48 orbearer situation in 6 as compared to the other units. We've  
 49 got some state people here, maybe they'd like to comment

50

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further on that.

2

3 Any lynx experts in the room? Don't everybody speak at  
4 once.

5

6 MR. LOHSE: No, what I was saying before though is 6 is  
7 just not a lynx area to begin with. It's only on extreme  
8 cycles in Unit 11 do you get spillover into 6, and so you don't  
9 - it's not a case of going to make much difference one way or  
10 the other, but they definitely are not Anchorage trappers  
11 trapping in Unit 6.

12

13 MR. WILLIS: Any other questions?

14

15 CHAIRMAN EWAN: I don't have any. Does anyone have any  
16 questions? I guess reading through your -- or glancing through  
17 the report here -- the written report, you're agreeing with the  
18 state to expand the season; is that what you're doing in Unit  
19 12 and 13?

20

21 MR. WILLIS: That's correct, yes. The staff supports  
22 that also, and again in 11 and 13 just to simplify the  
23 regulations and our -- the federal regulations are out of date  
24 simply because they haven't been changed since 1990.

25

26 CHAIRMAN EWAN: It begins when, if you're extending it  
27 for 14 days? So what are we talking about, the total length  
28 of .....  
29

29

30 MR. WILLIS: The first two weeks in December, I believe  
31 it currently starts on December 15, and it would start on  
32 December 1st, and December and January are the two months when  
33 lynx are traditionally harvested, like 81% of the harvest takes  
34 place in December and January, just about equally split between  
35 those two months, about 40% in each month, and 13% takes place  
36 in November. So that's 90 -- you know, about 93% of the  
37 harvest right there. Ralph.

38

39 MR. LOHSE: Rob, is that under current regulations  
40 under current trapping or is that historically?

41

42 MR. WILLIS: I can give you the years here in a minute.  
43 It looks like we go back to '84 with that data. One of our  
44 other biologists did the regulatory history on this and it  
45 looks like he went back 10 years.

46

47 CHAIRMAN EWAN: I have no comments or questions. Does  
48 anybody else have anybody questions?

49

50

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1 MR. LOHSE: Mr. Chairman. I would definitely support  
 2 the extension in 11 and 13, just from the trappers that I know  
 3 and from what I've talked to them in the area there. I don't  
 4 really know anything about 14, 16, and my comments on 6, I  
 5 think, are valid. I also think that in order to keep things  
 6 even, if the state already has regulations I would support  
 7 that, too.

8  
 9 CHAIRMAN EWAN: Do you want some action on this,  
 10 Robert, from the council?

11  
 12 MR. WILLIS: Yes, the council needs to move to accept  
 13 or reject this special action.

14  
 15 MR. BASNER: I move to accept.

16  
 17 MR. LOHSE: I'll second the motion.

18  
 19 CHAIRMAN EWAN: There's a motion to accept and a  
 20 second. Any further discussion on the motion? If not are you  
 21 all ready to vote? All those in favor, say aye.

22  
 23 IN UNISON: Aye.

24  
 25 CHAIRMAN EWAN: Opposed, by the same sign? (No  
 26 opposing responses) Motion is carried. Okay, the next item  
 27 that we're going to on the agenda -- we have on the agenda is  
 28 item 94-11, again, Robert Willis.

29  
 30 MR. WILLIS: This is the Goat Hunting Season Closure in  
 31 Unit 6(D) that came up about a week and a half ago. Again,  
 32 it's a situation where the state harvest data was not available  
 33 until September. They fly their surveys in late August and  
 34 early September, and this -- you've got a memorandum, I  
 35 believe, the only written material, as soon as we found out  
 36 about the closure -- the recommended closure by the state then  
 37 we got a memorandum out with the basic information that we had  
 38 at the time.

39  
 40 The decline in the goat population in this area, which  
 41 is called RG-243, it's located at the head of Port Fidalgo,  
 42 near Tatitlek. It's part of a general decline that's been  
 43 occurring in goat populations in most of Unit 6 for about the  
 44 last 10 years, according to the state biologist in that area.  
 45 There's no -- no one has a particular reason for that decline,  
 46 and talking to the biologists both with the state and the  
 47 forest service, it may be a number of reasons in different  
 48 areas; overhunting in some areas back in the '70s, early '80s  
 49 could have an effect.

50

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1  
2       There has been an increase in the wolf populations in  
3 some areas where the goats don't have good escape cover. The  
4 Native corporations have cut almost all the timber off some of  
5 that country and while goats are not timber animals, for the  
6 most part they do use some of the old growth timber in very  
7 heavy snow years for protection. And this could have had an  
8 effect. So it could have been any one of a number of things,  
9 but the population in this particular area has been at a fairly  
10 steep decline since about 1986. Sport hunting was closed there  
11 in 1989, and we've had a subsistence hunt there which has been  
12 in place since that time with a quota of two goats. There have  
13 been a few goats taken but for the last two to three years no  
14 one has shown any interest in hunting that area.

15  
16       I'm not sure what you have in the way of written  
17 material, but the population declined from about 189 goats in  
18 1986; it has dropped down to 56 goats in September of this  
19 year, and only eight of those or 14% were kids. So the decline  
20 is quite significant and the low number of kids indicates the  
21 decline will continue probably for at least another year or  
22 two, if not longer. And under those conditions any hunting  
23 mortality would tend to be additive and might steepen the  
24 decline and prolong the recovery.

25  
26       We did a pretty thorough analysis of the use on those  
27 areas. We have a new anthropologist on our staff,  
28 Rachel Mason, who has spent some time in Tatitlek, and she did  
29 workup on the cultural and historical use of goats in that  
30 area, and it goes back quite a long way. We could find no  
31 religious ceremonies or that were tied to the use of goats in  
32 that particular area, but goat hunting has been a part of the  
33 culture of that area for a long time. It doesn't appear that  
34 anybody in recent times has made a serious attempt to hunt  
35 goats.

36  
37       There have been no applications for federal permits for  
38 the last several years, although we have some reports that  
39 there has been a goat or two taken, just that the people who  
40 took it didn't bother to get a permit or bother to report it.  
41 But for the last two years we don't have any reports at all of  
42 goats being harvested by subsistence users in that area. And  
43 I said, there hasn't been a (indiscernible) harvest since  
44 1989.

45  
46       So while the people in Tatitlek in particular have  
47 hunted goats in that area in the past, it doesn't seem that  
48 they currently rely on it as a source of meat or have any --  
49 attach any symbolic importance to it. And Dan Logan, the  
50

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Forest Service biologist in Cordova, went to Tatitlek and talked to Gary and I think some other people while he was over there, and Gary communicated with us and said that his feeling -- I'll quote his note here, that the proposed, temporary closure of goat in that area is justified and villagers don't hunt goats all that much. So that was Gary's comment on the proposed closure.

8  
9 I believe that's all I have. If anybody has a question?

11  
12 CHAIRMAN EWAN: Okay, any comments, any questions?  
13 Ralph.

14  
15 MR. LOHSE: Mr. Chairman, I can give you a little information that I picked up. I talked to both the Forest Service biologist and the Fish & Game biologist on this same exact subject and he basically said what Robert said; in the last six to eight years the population has plummeted. It's a little limit right now for subsistence. It's been closed to sport hunting for -- what is it, eight?

22  
23 MR. WILLIS: Since '89.

24  
25 MR. LOHSE: Since '89 it's been closed to sport hunting, yet the population's going down. It's not all populations are doing that. The population of goats that are between this group of goats and Tatitlek are maintaining their population. They're not -- you know, they're not in a decline, but this particular bunch of goats are in a pretty precipitous decline. I have to support this proposal to close goat hunting in this area.

33  
34 CHAIRMAN EWAN: Lee.

35  
36 MR. BASNER: Yes, I, too, strongly support this closure. This decline is amazing. 189 to 56 is just really an eye catcher, and it appears there's no impact on subsistence hunters, at least as can be determined through apparently some good, careful research and local contact. So I, too, agree to support this.

42  
43 CHAIRMAN EWAN: Ben, do you have a comment?

44  
45 MR. ROMIG: I agree to support it like it is.

46  
47 CHAIRMAN EWAN: All right, I would, too. I am in full support of this. I really have a concern about the large drop. No explanation?

50

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1  
2 MR. WILLIS: I haven't been able to get one out of any  
3 of the people over there. As I say, there's a kind of general  
4 decline, according to the biologist in that area over most of  
5 Prince William Sound. Now the area 244, the one that Ralph is  
6 referring to that appears to be stable has kind of one of the  
7 exceptions in the area. We had a closure in area -- well, it  
8 used to be a different numbering system, but it was 828. I  
9 guess that was two years ago, the same situation was going on,  
10 and they can't give me an explanation why the particular herd  
11 is going down.

12  
13 MR. LOHSE: Yeah, Roy, it's not just even this  
14 particular herd. We have other herds, like the Goat Mountain  
15 closure area, the goat population is going downhill and there's  
16 hunting on that. Don Miller Hills, Suckling Hills; the  
17 whole general goat population in the area seems to be in a  
18 cyclic decline or something has changed.

19  
20 CHAIRMAN EWAN: Thank you. Go ahead, Lee.

21  
22 MR. BASNER: Yeah, I do have a question. Have the  
23 carcasses of these animals been recovered, even one or two and  
24 been autopsied?

25  
26 MR. WILLIS: Not to my knowledge, Lee. Neither Roy or  
27 Dan mentioned about picking up any carcasses to study them or  
28 try to find out what the problem was.

29  
30 MR. BASNER: And what is -- my last question will be  
31 what is the known wolf population in the area?

32  
33 MR. WILLIS: I don't know if there are any in that area  
34 right of. Do you know?

35  
36 MR. LOHSE: I talked to both Roy and the biologist  
37 about that, and there is wolf predation on that group of goats;  
38 not a lot of wolf predation, but we've pretty well had wolves  
39 move in the area down there in the last -- well, less than 20  
40 years, and they have impacted the goats down the Suckling  
41 Hills, on Goat Mountain, the head of the Rude River, places  
42 like that, and the population also has some predation on it,  
43 has some wolf predation on it. Probably has some bear  
44 predation. Hard winters and -- I didn't get a chance to ask  
45 him about one other thing. They have a little thing in the  
46 Fish & Game office I saw on this -- it's got some kind of  
47 enzema, a virus thing that the goats get, it causes large warts  
48 and everything around the eyes and the nostrils and stuff like  
49 that. And just before I came here a friend of mine brought a  
50

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deer that had exactly the same thing. So I don't know if that's possible that that's affecting the goat herds on Prince William Sound or not, but they did have some of that down in Suckling Hills.

5

6 MR. WILLIS: That's good to know. I think there's pretty good escape cover there for the goats in RG 243. I wouldn't think there's wolf predation to be a significant problem in that particular area just from what I know of. It's possible, too, that there's some weather changes that have taken place because of the vegetation removal. When you take off the old growth timber you change the wind flow -- the patterns of air flow tremendously when you take out 200-year-old -- 200' tall trees, and that's just speculation on my part, but when you change those wind patterns and change where the snow drops, you know, you might see some significant changes in what we call micro climates because of that. There are a number of possibilities.

19

20 MR. LOHSE: Yeah, I can vouch for the change in the micro climate by the logging practices, just by what's happened out the road in the Cordova area, Mile 13 area. The area that used to be cool and wet is now dry and warm. I mean that's fast, for lack of a better way to put it, it's allowed the sun shining on the dirt, the dirt picks up the heat, a massive amount of understory plants growing out there. But it's a total different climate driving out that road, out the Cabin Lake Road and a few places like that than six or seven years ago. There's been a lot of logging done in the Two Moon Bay, Point Knowle, Red Head, that area there, and the winds do go across that to Fidalgo. So that might have some effect on it. That's been since '89, too.

33

34 CHAIRMAN EWAN: I'll entertain a motion to support the proposal.

36

37 MR. BASNER: I move to support the proposal.

38

39 CHAIRMAN EWAN: There's a motion; do we have a second?

40

41 MR. LOHSE: I'll second it.

42

43 CHAIRMAN EWAN: There's a motion and second to support this proposal. Any further discussion on the motion? If not, all in favor, say aye.

46

47 IN UNISON: Aye.

48

49 CHAIRMAN EWAN: Opposed, by the same sign. (No

50

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opposing responses) Motion is carried. The next item is item 2., Development of Regulation Proposals. Is this Robert again?

3  
4 MR. WILLIS: I believe so. Let me shift my mental  
5 gears here and get over to my proposal form. I just wanted to  
6 run through the proposal form again for you. It's much the  
7 same, if not exactly the same as we had last year, and you've  
8 seen it before. It's a six-part form, I think you have one in  
9 your book.

10  
11 MS. EAKON: Yes, under Tab 8-H, and go about three or  
12 20 pages.

13  
14 MR. WILLIS: Again, this is something we put together  
15 try to help people out in the field to collect their  
16 thoughts and make proposals for changes in the regulation in  
17 such a manner that we know exactly what it is they're asking  
18 for, and to give us some justification and some reasons, some  
19 benefits from the change that they're proposing. Regulations  
20 are straight-forward, which regulation do you want changed, and  
21 we asked people to write it down -- write down the existing  
22 regulation exactly as it is in the book, and then in number 2.,  
23 write down exactly as they would like to see it changed.  
24 That way there's no way to misinterpret what they're asking  
25 for.

26  
27 Why should the regulation be changed; how will this  
28 change affect wildlife populations; how will it affect the  
29 subsistence user, and any additional information they'd like to  
30 add. On the second page is an example.

31  
32 This particular one says submitted by the Yakutat Fish  
33 Game Commission, and they have followed the procedure here  
34 and written down the existing regulation and then written it  
35 again with the change that they want put in place. And in bold  
36 print, number 3 is good. The reason for changing the  
37 regulation, there was a 25 bull quota, and the September 1 to  
38 November 15 season has never allowed that 25 bull quota to be  
39 taken, so they're asking for more opportunity.

40  
41 Number 4 is where I kind of take exception to this  
42 example. I don't like it because it doesn't give us any  
43 information. Under effect of proposed change on fish and  
44 wildlife populations, just making a statement that the  
45 population is healthy so there won't be any effect doesn't give  
46 a whole lot to work with, and the board tends to not put too  
47 much credence either in one person's statement to that effect  
48 unless they can provide some justification. So what we try to  
49 tell people when they're sending these proposals in is to give  
50

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11s some background information, something we can look at and  
 12ake a determination for ourselves that the population is  
 13either healthy or unhealthy. In this particular case the  
 14individual can say the hunters from our village saw 110 moose  
 15this year and that's half again as many as we saw last year.  
 16There were 80 bulls and -- or 80 cows and 30 bulls and every  
 17cow we saw had at least one calf and most had two. You know,  
 18that's excellent information; that's something that tells you,  
 19Well, you're seeing more moose than you did the year before,  
 20You've got a good bull/cow ratio and what the hunters have  
 21observed, your production is good because all the cows were  
 22with calves and some of them had twins.

13

14 So that's sort of the example I've been using to --  
 15When I talk to people about how to send in a proposal to help  
 16us out to justify the changes that they want to make. And to  
 17go in the other direction, if they've had a particularly bad  
 18winter and they think a season should be shortened or closed  
 19you could say we had more snow this year than we've had in the  
 20last 20 years, we were trapping beaver on the river and we  
 21found 25 dead moose in a three mile stretch of willow flats and  
 22the browse was all gone and they were frozen to death and --  
 23You know, this kind of information. That's the kind of thing  
 24that we can use, it's a big help to us.

25

26 So from that standpoint this particular example is not  
 27good one. The next example on page number 3 is -- has the  
 28same limitations as far as telling us the effect on fish and  
 29wildlife populations. The rest of it is really good. They  
 30point out the shortcomings of existing regulation. They give a  
 31good account of what will be provided if the regulation is  
 32changed, and on the last page under additional information they  
 33give a great deal of information, background information on the  
 34regulations and the need for change, and then who it will  
 35affect.

36

37 I guess I'll turn it over to Taylor right now and let  
 38him talk a little bit about how to answer question number 5, I  
 39guess it is, how will a change affect the subsistence user.

40

41 MR. BRELSFORD: Okay, thanks. On question number 5 the  
 42topic is the consequences of the regulatory change as far as  
 43subsistence use patterns, and I think the main question to have  
 44at the back of your mind in answering that is will the change  
 45improve the accommodation of traditional harvest practices or  
 46would it make traditional harvest practices more difficult.  
 47And those traditional harvest practices would be things like  
 48additional seasons for harvest, historic or traditional  
 49levels, traditional harvest practices as far as methods or

50

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means or places, and any cultural belief systems that would be affected one way or another by the proposal.

3

4 So those are the types of information that could be included in response to question number 5. But, again, the main thing to have in mind is a lot of what we're trying to do is to insure that traditional harvest practices are secure and can go on, and a lot of the times the purpose of revisions to the regulations is to try and accommodate traditional practices, so this would be the question, question number 5, in which you try and identify the specific outcomes along those lines.

13

14 And I guess I'd like to take just a second to kind of pass the baton here. Ron Thuma, who all of you know, is actually going to be your ongoing staff specialist, your anthropologist on the regional team with Robert and Helga. So Ron just got back in the saddle with us on Monday and he agreed to come along and kind of get rolling with the council again for this coming year. But from now on he'll be doing the presentations and the staff analyses and so on, and I've got to tell you guys, I for one am really glad to see him back. We've needed the help. So take charge there, Ron.

24

25 I think we're finished on the sociocultural item there.

26

27 CHAIRMAN EWAN: Okay. Robert, do you have anything else to add?

29

30 MR. WILLIS: I don't think so.

31

32 CHAIRMAN EWAN: I guess at this point then I'll just ask if there's any proposals to be proposed here.

34

35 MR. LOHSE: Mr. Chairman.

36

37 CHAIRMAN EWAN: Yes.

38

39 MR. LOHSE: I wanted to ask Robert a question before we go on. Now before these proposals -- basically this is a question that was brought to me in Cordova. They have to deal with subsistence animals on which there is a subsistence termination on federal land?

44

45 MR. WILLIS: That's correct.

46

47 MR. LOHSE: Okay. In other words, if just because the animal's on federal land if there has been no subsistence termination for that animal a proposal is not in order?

50

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1  
2 MR. WILLIS: Well, if it's a determination of no  
3 subsistence that's correct, however, there's a determination  
4 which says no determination, and that simply means that any  
5 rural resident who can hunt that particular animal in that  
6 area, so it's a little bit confusing. I get confused myself  
7 sometimes trying to use those terms. But a determination of no  
8 subsistence for an animal -- like for instance right now we  
9 have a no subsistence for moose and caribou on the Kenai  
10 Peninsula. So there can be no federal subsistence season on  
11 those species in that area. An area is where you have a  
12 determination of "no determination." That simply means that  
13 there hasn't been a determination made as to which particular  
14 group of people -- which particular group of rural subsistence  
15 users have used of that particular animal in that particular  
16 area, and in that situation any rural resident can hunt that  
17 particular animal on those federal lands.

18  
19 MR. LOHSE: Yeah, that's basically what I was wondering  
20 because I had some questions from a couple of people down  
21 here on moose proposals, and if I remember right, moose have  
22 not been determined as a subsistence animal in Unit 6, down  
23 where we are.

24  
25 MR. WILLIS: Right there, I think it is. Yeah, in the  
26 regulation there's no subsistence on moose in Unit 6.

27  
28 MR. LOHSE: Those proposals then go straight to Fish &  
29 Game, right?

30  
31 MR. WILLIS: That's correct.

32  
33 CHAIRMAN EWAN: All right. Did you have a question or  
34 comment, Lee?

35  
36 MR. BASNER: I do, and I'm not certain how to approach  
37 this from a proposal point of view. I think I'll call on  
38 Hollis Twitchell for the answer perhaps. But a proposal that  
39 would deal with a national park is not appropriate under this  
40 proposal form; is that correct? In other words, a national  
41 park, Denali, to be specific, would have a different approach  
42 to this. Am I correct or not? I'm confused on this.

43  
44 MR. WILLIS: Go ahead, Hollis.

45  
46 MR. TWITCHELL: To answer your question, you would  
47 submit the proposal to the Federal Subsistence Board using this  
48 same form. If you wanted to apply only on park lands in a  
49 particular park you could specify that in the proposal itself.  
50

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1 I suspect you would lean towards the Cantwell, Kantishna  
2 (indiscernible - away from microphone)?

3

4 MR. BASNER: That's correct. And I wanted to go about  
5 it in the proper fashion, and I want to make certain that, you  
6 know, I understand that the superintendent of the park has some  
7 specific authority on the park regulations, and regulates  
8 subsistence hunting within park boundaries, whereas the  
9 subsistence board does not in all cases have some specific  
10 responsibilities there.

11

12 MR. TWITCHELL: The superintendent has the authority  
13 under park regulations to close an area to subsistence taking  
14 of wildlife under two authorities; under an emergency closure  
15 and under the temporary closure. He doesn't have the ability  
16 to close an area on a permanent basis.

17

18 What I wanted to speak to you a little later about was  
19 what the park service intention would be as more immediate  
20 response to the situation in Kantishna, but also suggested  
21 there may be an avenue that we should pursue through the  
22 Federal Subsistence Board in terms of an annual closure for  
23 this particular area. In which case it would be incorporated  
24 into a regular Part D regulations for the federal program. The  
25 superintendent's closure is simply an annual one. It's not  
26 permanent and cannot be carried over from year to year. He  
27 would have to each year instigate that action to close.

28

29 MR. BASNER: Okay. Well, I realize we're a little out  
30 of sequence and I was trying to stay within the agenda and the  
31 sequence on the agenda here. So perhaps, Mr. Chairman, it  
32 might be appropriate to make a motion to table further  
33 discussion on proposals until we have discussed item I. 1,  
34 which was added to our agenda this morning, because I'd like to  
35 get the information and get Hollis's comments on what they  
36 propose to do before I allow us to go away from the opportunity  
37 to make a proposal here if that is in fact what we decide we  
38 want to do. That's where I'm coming from.

39

40 CHAIRMAN EWAN: From my standpoint I don't care whether  
41 we discuss it now or later, it doesn't make that much  
42 difference to me. Does it to other council members?

43

44 MR. LOHSE: Mr. Chairman, if I'm wrong, I would think  
45 that any issue that came up could generate a proposal. Would  
46 that be your understanding, too, if after we discuss the  
47 Kantishna issue, if there was a proposal needed at that time we  
48 could make a proposal even if it wasn't on the agenda as  
49 proposal making time, or do we need to table or move the agenda  
50

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around. It's the next item on the agenda, and just ask that this point of the agenda be placed after we discuss the Kantishna issue.

4

5 CHAIRMAN EWAN: I don't know. You tell me what you want to do.

7

8 MR. BASNER: Well, Mr. Chairman, since we've got -- we've already had the open floor to the public on proposals and the public stayed away in droves, so we're at council proposals now, if any. I suggest that we just put Hollis on the spot, since he's already up here and move right into I., leaving open the possibility of continuing our discussion on proposals, just wrap it all into one here for simplicity sake.

15

16 CHAIRMAN EWAN: Is there any objection to doing that? Okay, then you're talking about item 2 under I. right now?

18 MR. BASNER: No, I'm talking about item number 1 under I.

20

21 CHAIRMAN EWAN: Okay. So I guess we'll take that up now. Are you going to give us a background?

23

24 MR. TWITCHELL: That probably would be appropriate. Is this on? Okay. In the Kantishna Hills, which lies in Wildlife Management Unit 20(C), it's on the north side of the Alaska Range, access in the summertime via the park road that goes through the Old Mount McKinley Park to Wonder Lake, Kantishna area. The C & T determinations for utilizing moose in that 20(C) unit was done in 1988. At that time the State of Alaska made a determination that the resident zones for Denali, that being Cantwell, Lake Minchumina, Nikolai and Tolida, all had C & T use of moose in 20(C). They also had an exception for Mile 216 to 239 of the Park Highway as being an area that did not. So Cantwell, which is located in Unit 13(E) on the south side of the Alaska Range has had a C & T determination standing since 1988 for moose.

38

39 This summer several individuals from the Cantwell community decided that they were going to exert that privilege and wanted to know how to get access to Kantishna Hills for that particular fall moose hunt. The decision would be that with road restrictions on the park road that they would simply come in, get an access permit and as such be able to pass through to the Kantishna area to participate in the hunt. The Kantishna Hills area had subsistence moose hunting in it of course prior to ANILCA, and then post-ANILCA there was about a half-dozen people who traveled out the park road and hunted moose in the Kantishna Hills. These were eligible subsistence

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users for Denali.

2

3           So the Kantishna Hills has a history -- a recent  
 4 history of being utilized as a subsistence moose hunting area.  
 5 The people that were utilizing it were primarily people who  
 6 lived along the Parks Highway north of Cantwell. To our  
 7 knowledge there isn't anyone from the Cantwell area that had  
 8 been traveling out into the Kantishna Hills to hunt moose, so  
 9 this was a new activity area for the Cantwell community people.

10

11           The media picked up on the aspect of subsistence  
 12 hunting resuming again in the Kantishna Hills, and as such  
 13 generated quite a bit of controversy. The lodges that are  
 14 located at the end of the park road also were quite concerned  
 15 regarding subsistence hunting occurring in the Kantishna Hills  
 16 area, primarily for visitor safety concern for their lodge  
 17 guests.

18

19           I jumped a little bit ahead of myself. I should  
 20 mention that the people who were hunting in the Kantishna Hills  
 21 area ceased hunting in 1989 when -- correction, in 1988 when  
 22 the same time that the resident zone communities were  
 23 authorized use of moose in 20(C), the Parks Highway from 216 to  
 24 249 was excluded from having moose and caribou use. So the  
 25 half-dozen individuals that I mentioned before who had  
 26 participated in the Kantishna Hills moose hunt lost their  
 27 eligibility to hunt back in that area. So we have a period of  
 28 time from 1988 up until this summer in which subsistence moose  
 29 hunting has not occurred in the Kantishna area.

30

31           The Park Service was not in a position to do a  
 32 temporary closure for that area with concerns for visitor  
 33 safety since there is a public process of announcements and  
 34 public hearings that are required preceding a temporary  
 35 closure. The information that we received when people were  
 36 planning to come in to do this activity was just a couple weeks  
 37 before the hunting season opened itself. So we decided to just  
 38 wait to see what turnout actually occurred and if it was  
 39 necessary to do a closure that we would then use the emergency  
 40 closure authority in our CFR regulations, but before that can  
 41 be done we had to have some sign that there was some imminent  
 42 threat to public safety before that could be done.

43

44           During the first part of the hunting season we had very  
 45 few people show up, a total of three adults and one 10-year-old  
 46 individual from Cantwell came in and got their access permit  
 47 and went back into the Kantishna Hills and engaged in their  
 48 subsistence hunt. To our knowledge, those individuals did not  
 49 harvest a moose at that time. The only other two individuals

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that went in after that occurred right at the end of the season, towards the end of September. So what we have is a total of six people who actually showed up and participated in the hunt. The park didn't feel that that was a situation that represented immediate threat to public safety, and therefore we never utilized the subsistence closure that the park has.

There's been a continuing expression of concerns, primarily by the non-consumptive user groups, recreational users, who utilize the lodge facilities in that area. There's at times in the neighborhood of 300 people that are visiting, housed, and staying in the lodges at the end of the road. A number of them have written and phoned requesting that there be some buffer zone or closure to subsistence hunting in the immediate area in the Kantishna Hills.

In calling around to a number of different state managers and other managers we tried to find out what sort of process or areas that they have closed to hunting that are roughly visited or highly developed areas. For the most part, state parks had indicated that they use about a half-mile closure on either side of major trailheads or park highways or development facility areas. And we considered the option of making a proposal to the Federal Subsistence Board requesting that there be some closure in the developed area, which would be the Kantishna airstrip area along the road which parallels Moose Creek, back to the old park boundary, a distance of about five miles. And the reason we're considering this is the fact there are at times 300 or more people utilizing this corridor. There's numerous hiking activities, guided hikes that the lodges provide along that valley bottom, as well as horseback trips, and with the Kantishna airstrip there's a significant amount of flightseeing and other activity going in and out of this particular corridor.

We're very concerned about the effect that this may have in closing out or limiting subsistence use activity. We haven't decided on whether that half-mile would be the appropriate distance or whether a larger distance might be appropriate for this corridor. The state situation, much of their areas are in timbered habitat. And the line of thought that was expressed to us was that with the timbered country that a bullet is not likely to stray much more than a half-mile before it hits trees or brush or some obstruction, et cetera. The Moose Creek area is -- does have some timber and vegetation in it, but it's primarily a tundra region once you get away from the corridor itself. So there's been suggestions that a larger buffer zone may be appropriate in that location.

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1       As I mentioned earlier, the reason we're considering  
 2 the proposal through the federal programs is we would like to  
 3 see something applied for the time that the lodges are opening  
 4 and functioning, which basically is from the 1st of June  
 5 through the -- about the 15th to 20th of September. We don't  
 6 feel it's necessary or appropriate to do a closure that's a  
 7 year around closure there since the only justification in our  
 8 minds for a closure would be the visitor safety concern. The  
 9 wildlife population, as I mentioned earlier in the Kantishna  
 10 Hills in 20(C) is considered to be stable and is considered to  
 11 be a natural and healthy population, so there's no biological  
 12 reason for the closure.

13

14       Our proposal then will probably ask for a reoccurring  
 15 annual closure limited to the developed and facilitated area,  
 16 from the Kantishna airstrip to the old park boundary, somewhere  
 17 in the neighborhood of a half-mile to a mile on either side of  
 18 the road. That still leaves a significant amount of habitat in  
 19 the Kantishna Hills that are accessible via the mining roads  
 20 that go off to various claims in the area. So subsistence  
 21 users would still be able to travel to the area and move away  
 22 from the facilities and engage.

23

24       As I mentioned before, the superintendent's authority  
 25 only by emergency and only for temporary closure, and that's  
 26 something that he would have to re-initiate every season if the  
 27 park was going to try to instigate the action. Our preference  
 28 would be to see it go through the Federal Subsistence Board so  
 29 that it would be a permanent reoccurring closure, but only  
 30 applicable during the times the lodges are functioning and we  
 31 have a visitation present.

32

33       CHAIRMAN EWAN: Are you done?

34

35       MR. TWITCHELL: The alternative that we see in the  
 36 longer term is probably something that Lee will address here  
 37 shortly. The individuals who resided along that Parks Highway  
 38 corridor, 216 to 239, are the people who appealed to the  
 39 Federal Subsistence Board to have that previous C & T  
 40 determination reviewed. That's the 1988 C & T determination.  
 41 At that time, whenever that does occur, we would be very  
 42 interested in having some review done looking at the historical  
 43 use of the Cantwell area and to what extent they utilized moose  
 44 in 20(C).

45

46       In doing the analysis on the alternate winter hunt I  
 47 only tracked harvest records back the last 10 years for  
 48 utilizing units in 20(C), and there was only one harvest report  
 49 submitted for those units associated on the north side with

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Denali and there was no way to track whether that individual actually utilized track resources or not. So in the very limited time frame, the 10-year period that I looked at it, there's no record of Cantwell people utilizing the north side or the Kantishna Hills. So we would probably want to look carefully to what extent in 20(C) that the Cantwell area utilized moose.

8

9 That being several years away, it's a fairly long-term answer to the immediate question whether Cantwell people really have customary and traditionally used the Kantishna Hills. So our more immediate intention or response is to bring forth a proposal to the Federal Subsistence Board simply on the public safety standpoint.

15

16 CHAIRMAN EWAN: All right. Any questions or comments?  
17 See.

18

19 MR. BASNER: Yes, I think -- I want to make certain that I'm not particularly at odds with the Park Service's position on this situation, but I can see it from a little different point of view. I understand the safety problems around the lodge out there and the esthetics, I suppose, of a cut pile along the highway where a tourist comes along and sees it and goes crazy. But I'm more concerned about an abuse, and I see this as an abuse of a subsistence system. Far be it for me to be one to want to restrict subsistence users in areas where they have customarily and traditionally hunted. But in this particular instance it appears to me there's a small group of people, not the entire community of Cantwell, but a small group of people in Cantwell have found a loophole. They found a way to hunt in virgin territory, they found an edge over everybody else, and they can get in, drive through the National Park in their own private automobile when no one else is allowed to do so, other than perhaps a photographer using a permit system, everybody else has to take the bus. So these people can jump in their car and put the family in the car and drive through 80 miles of park and go in and hunt in an area that they have not been hunting in. I am eligible to go in and hunt in this area myself, but I don't choose to do that, because I've never hunted there. And I feel that's the same situation with this other group of people. So I'm sort of approaching it from an abuse point of view whereas you seem to be approaching it from a safety point of view. I will take your word for it that there's not any biological impact if, oh, half dozen moose or so were taken out of there. If you say that's the case, then fine, I accept your word on that. But that is not my main concern.

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1 My main concern is this small group of people over  
 2 there abusing the subsistence system. I also have concern if  
 3 the people along the Parks Highway who have been denied C & T  
 4 use all these years, if they finally get it, some of those  
 5 people apparently did customary and traditionally used to hunt  
 6 in Kantishna. I would not object to those people hunting in  
 7 Kantishna. And so at some point, and I think fairly early on I  
 8 would suggest that the Park Service needs to review the C & T  
 9 use of Cantwell people in 20(C), and I don't want to submit a  
 10 proposal here that would be in opposition to yours or wouldn't  
 11 go along the same lines here. I don't want to confuse the  
 12 issue. So I think perhaps other members here have got some  
 13 comments or questions on the issue, but that's the way I see  
 14 it.

15

16 CHAIRMAN EWAN: Ralph?

17

18 MR. LOHSE: Mr. Chairman, I'd like to address Hollis.  
 19 Hollis, I'd first of all like to say thank you that the initial  
 20 action wasn't it's in the park, we've got to figure out some  
 21 way to close it. I'm glad to see that the idea is that if  
 22 there's some legitimate subsistence and there are animals  
 23 available despite the fact that it's in the park, you'll work  
 24 to allow the hunting to take place there and address it from a  
 25 safety concern standpoint. I do agree that there is, you know,  
 26 when you've got that amount of tourists and that amount of  
 27 people there it's not good business to have both hunting and  
 28 that kind of tourism taking place at the same time. But if  
 29 there is a surplus of animals and there are people who are  
 30 qualified to hunt in there subsistence, I think that your idea  
 31 of accommodating them in the safest way possible is a real good  
 32 way to go at it. And the fact that right now those people are  
 33 from Cantwell and possibly aren't qualified, the fact that  
 34 there was hunting in there in the past, somebody is qualified,  
 35 and if we'd make a blanket thing to just -- you know, close it  
 36 and keep them out, then those that were qualified in the past  
 37 won't be able to get back in.

38

39 I, too, think that you maybe need a review of C & T,  
 40 but I do -- I really do appreciate your idea of going at it as  
 41 always to maybe keep things safe and allow the subsistence that  
 42 qualified to take place right inside of the National Park,  
 43 because that's a big fear of a lot of people that I know that  
 44 live in parks. A lot of my neighbors and friends live in the  
 45 Wainwright/St. Elias. For example, the fear that goes through  
 46 most people is that if we live in a park sooner or later we're  
 47 not going to be allowed to do anything, and it's really nice to  
 48 see that the idea is to try to accommodate it and at the same  
 49 time protect the visitors. Thank you.

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1  
2 CHAIRMAN EWAN: Do you have any response to his  
3 comments?

4  
5 MR. TWITCHELL: Well, I would concur with Lee in the  
6 sense that the community of Cantwell typically has utilized the  
7 South side, that's their home territory, it's the area that is  
8 closed proximity to their homes, and to travel as far as they  
9 would have to in going out the park road and getting to the  
10 Kantishna area, it doesn't lend itself very well to efficiency  
11 of effort or typical subsistence effort. Several of the  
12 individuals who came in and suggested to me that they didn't  
13 think it was appropriate to go all that distance as well, but  
14 they were doing that more under a protest, in that it was more  
15 of less a protest rather than sustenance hunting, and the  
16 protest was against what they viewed as lost some of their  
17 subsistence privileges in their immediate area at Cantwell.  
18 One of those .....

19  
20 CHAIRMAN EWAN: Will you get closer to your mike?

21  
22 MR. TWITCHELL: Oh, yes. I was saying that several of  
23 the people who came in suggested that they were hunting under  
24 protest rather than under a need for sustenance and that they  
25 would prefer to hunt closer to the Cantwell community, but they  
26 felt that they had lost some subsistence privileges in that  
27 area as a result of not being able to hunt or utilize Title  
28 VIII on selected lands, and there were a number of acreages of  
29 selected lands immediately around Cantwell which they no longer  
30 can hunt their moose on. And this was part of an effort to let  
31 people know that they were not content with that situation.  
32 Keep in mind that on park lands you don't have the alternative  
33 of hunting under a sport authority, and so when these selected  
34 lands are involved within the boundaries of a national park it  
35 more or less keeps those hands out of subsistence utilization,  
36 and that's basically what they were protesting.

37  
38 But I concur with what Lee said, they are certainly a  
39 user group that, to my knowledge, and from looking at the  
40 records that I have available in the park, have not had the  
41 customary and traditional practice of hunting in the Kantishna  
42 Hills area. So I can appreciate what Lee is saying, the  
43 current authority though is based on that 1988 C & T  
44 termination, and until that's changed, there's not to much  
45 that the park is going to be able to do about it.

46  
47 CHAIRMAN EWAN: Any more comments?

48  
49 MR. BASNER: Yes, Mr. Chairman. Hollis, would you  
50

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prefer then at this point that the -- that we address it at the SRC level and not here at this commission, or wait until you make a proposal and then this commission comment on your proposal? What would be your suggestion?

5

6 MR. TWITCHELL: I would suggest that the SRC is probably not going to meet again until December, which is going to be not in time to reach this regulation proposal deadline of November 14, so either as an individual you could submit a similar proposal or even a more restrictive one that I've discussed if you felt it's something you would like to see, or the SR- -- the Regional Advisory Council here could formulate their own proposal. I think it would be appropriate for any one of those entities to come forth. I wouldn't stand back and wait for myself as a Park Service person to submit the proposal. If you feel very strongly about it, I would encourage you to submit one yourself.

18

19 CHAIRMAN EWAN: Okay. Myself, I'm kind of neutral on this issue. I read about it in the papers. I heard your comments. I still am wondering in the back of my mind whether what has been said here today is all inclusive or there's some things out there that I don't know about. In my mind I just don't feel like I have adequate information.

25

26 Have you had any public meetings over there at all on this issue?

28

29 MR. TWITCHELL: No, we haven't. As I mentioned, the individuals hadn't come forth with their intention until just a couple weeks before the opening season. As such we generated newsletters that we sent out to the lodges to inform them right away that there's going to be a resumption of the subsistence hunting activities in the area, and then I went out and met with the lodge owners themselves to discuss ANILCA park regulations and the federal program, Subpart D regulations, and one of the things they came forward with was a recommendation that we provide a list of the names of the lodges and their phone numbers so that when subsistence hunters came into the area that they could contact the lodges and find out when their guided hikes and horseback trips and other naturalist walks were occurring and where so that they didn't inadvertently bump into each other. And the subsistence users were pretty receptive to that, and the ones that went out, I understand, and contact some of the lodges.

46

47 CHAIRMAN EWAN: I guess what I'm really saying is I'd like to leave this issue to the local people, I guess. That includes Lee, you know, he's a local guy up there. If closures

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are necessary or a restriction necessary, that could be a local issue, it seems to me. I'd like to hear the recommendation come from the local people rather than I as a regional council member making a proposal.

5

6 MR. TWITCHELL: I know several of the SRC individuals have expressed serious concern about the potential ramifications of the conflict there that could arise with a large moose right below a lodge that's being viewed and then someone comes in and harvests it. So I would suspect that there will probably be some other individuals on the SRC that will come forth with a proposal. Keep in mind one of the individuals who participated in the hunt was an SRC member himself for Denali. So there will be a mixed view certainly.

15

16 CHAIRMAN EWAN: Okay, is that it? Any questions -- further questions or comments?

18

19 MR. ROMIG: I'm interested in the safety standpoint of some type of proposal, and also would you consider some proposal where you might exclude the larger bulls, similar to the restrictions they have, for instance on the Kenai?

23

24 MR. TWITCHELL: I left the biological information on the -- in my notebook at my seat. I recall from the survey that we did in '91 which encompassed the Kantishna Hills and the whole north side of the range, that we had in the Kantishna Hills Unit about 600 and some moose. A density of .6 moose per square mile. And we had an extremely high concentration of bulls per cows and 125 bulls per 100 cows. Not very typical bull/cow ratio. That probably is a result of, I think, immigration to the hills area from the flats and other surrounding areas during that fall survey time. This is of course just post-rut. So it's not representative of what the whole population in Denali is, just represents the Kantishna Hills being a important staging/rutting area, and the time of survey that we flew indicated that.

38

39 So biologically, you know, we feel very comfortable with what the overall population is, not only in the Kantishna Hills but the whole side of the north side of the range. Our concern is greater than that because we have black bear, which is open subsistence hunt at that time of year; we have grizzly bear, which has a no determination, which means that there is a season and people can harvest grizzly bear starting September 46 we also have hunting season for wolverine and wolf and a number of other species. So the greater concern is it's not just a moose hunt. If someone wanted to go in and harvest bear and moose and some other -- the other species that they would

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be entitled to engage in any one of those.

2

3 MR. ROMIG: I guess what I meant actually was on the  
Kenai there are restrictions for moose within a certain size,  
and could there be a proposal in some form that would be the  
opposite of this where, you know, they would leave the bigger  
bulls so you wouldn't have the subsistence trophy hunt, so to  
speak. Would this be -- in a proposal form would this be, you  
know, viable or biological?

10

11 MR. TWITCHELL: Well, I don't see where there's any  
biological reason why that would be necessary. The problem is  
not a biological one, and we're not missing any cohorts or age  
classes groups, we have a pretty good distribution of all age  
class bulls in that population, so I don't think that we could  
defend that from a biological standpoint. The issue really is  
high density of visitors in a recreational mode which could  
potentially conflict with the subsistence harvest.

19

20 MR. LOHSE: Mr. Chair. Hollis, do you feel though that  
if you could separate the two with a safety zone, a long enough  
viewing zone, whatever you wanted to call it, that there still  
would be opportunities to maintain a subsistence hunt in the  
area without causing -- without jeopardizing the whole idea of  
what the park is there for, and without jeopardizing any  
people?

27

28 MR. TWITCHELL: I think we'll have to come to some  
compromise in this area. As I mentioned, there is, of course,  
guided trips that occur out of there which are going four or  
five miles out. If we tried to create a buffer zone that  
encompassed all the hiking routes and all the horse packing  
routes, it would be so far that no reasonable subsistence user  
is going to participate. What I'm focusing in on is the fact  
that there are high density visitation areas where we have a  
lot of foot traffic and a lot of aircraft, a lot of overnight  
facilities, lodges, and it's in those areas that the concern is  
the greatest.

39

40 I guess my personal preference is to probably have  
a buffer zone in the neighborhood of about a mile which would  
take on either side of the road, which would be a total of  
about a two-mile distance which, for the most part, encompasses  
all of the valley bottom and most of the hillsides within this  
Moose Creek/Kantishna region, so that a subsistence user could  
still access up via some of the mining roads and get farther  
back away and be out of the frequented -- highly frequented  
area. And in terms of beyond that we're going to have hiking  
parties that go back there, and we're just going to have to do

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a better job of educating the public that there are other users and other values that have been there preceding the park being expanded, and try to make people aware of that before they go in so that they don't decide to take a backpacking trip into an area thinking it's like the old Mount McKinley and no consumptive harvest is occurring, and let people know right up front that at this time of year you may see other users in the area.

9

10 MR. LOHSE: I think we discussed that on another part of the park, and actually came to the conclusion that, you know, that's not a totally bad thing to do, that -- you know, that's part of reality, and that's -- maybe some people will actually gain from that experience or actually seek out that experience. You know, there's a possibility we may just come up with a lot of conflict out of it, but it's also a possibility that what we'll do is promote some understanding.

18

19 MR. TWITCHELL: Well, the letters are definitely running in the favor of conflict.

21

22 CHAIRMAN EWAN: I'd like to say this about this whole issue. I already said that I'd like to stay neutral and since I'm from a different area I'd like this matter to be, you know, posed by the local residents invariably. I have a concern about the precedence it may be setting, you know. If sometime down the road somebody in the Wrangell/St. Elias National Park decides there's a safety problem, we'll have other closures or other restrictions. I'm kind of hesitant to say let's close that area for safety reasons. I don't know the situation over there that well, other than what I hear tonight and what I read in the newspaper. I hope that we can take that into consideration, you know. There's -- could be a domino effect down the road that we're not aware of right now.

35

36 MR. TWITCHELL: I understand your concerns and I have that, too. There's certainly been other people proposing eight miles or more buffer zones around the Kantishna area, and that's why I say we're going to need to come to some reasonable compromise, and when we do make a closure, it should be defensible in terms of number of users and types of users and reasonable distances. That only addresses the problem superficially since I think the greater problem is what Lee suggested, that there is a user group occurring in here that hasn't customarily and traditionally utilized that area. So hopefully that can be addressed whenever the appeal and the review of the Parks Highway corridor comes up.

48

49 CHAIRMAN EWAN: I guess we've talked this one long

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enough. Right? Is that all you have on this?

2

3 MR. TWITCHELL: Right. Thank you.

4

5 CHAIRMAN EWAN: Thank you, Hollis. The next item would  
6 be -- okay, the next item will be the I. 2., Denali National  
7 Park, Unit 20, Customary and Traditional Determination. Okay,  
8 this will be something that Lee will speak on. Lee.

9

10 MR. BASNER: Yeah. This deals with the group of people  
11 along the Parks Highway who were found to not have had  
12 customary and traditional use of moose in that area and  
13 therefore have been denied access to Denali Park and taking  
14 moose for subsistence purposes. And the reason that I wanted  
15 put this on there was because this morning we saw a calendar  
16 that was listing priorities. We were told a couple of years  
17 ago that this was going to be pretty high on the list of  
18 priorities. I think these people have been denied hunting  
19 privileges for something around eight years or so now. Am I  
20 right, Hollis? About eight years that they've been awaiting a  
21 final determination. They've had two or three final  
22 determinations but there have been -- of course this is a  
23 dynamic situation and now the federal government has taken  
24 over, of course, a new entity has to come up with another final  
25 determination.

26

27 My reason for adding this to the agenda was to  
28 emphasize -- I think this council should be concerned with this  
29 because we've got a bunch of subsistence users here who are  
30 denied subsistence use and we're not putting them very high on  
31 our list of priorities. We, last January of February,  
32 discussed the Kenai Peninsula priority, and that's important.  
33 I'm not saying it's not, and we've done that, but at what point  
34 will we discuss Denali? And is there anyone here that can tell  
35 me that this will get discussed within the next few months or  
36 the next board meeting? These people along this highway,  
37 they've been probably much more patient than I would have, and  
38 the answer is no, fine, but to keep them hanging all these  
39 years is -- I think it's wrong, and I would like to see this  
40 council emphasize to the board that they get moved up on the  
41 list of priorities so that they get discussed and a  
42 determination be made once and for all, and I'd like to see  
43 that done in the very near future.

44

45 CHAIRMAN EWAN: Any comments or questions about what  
46 we just mentioned? Yes, Janis.

47

48 MS. MELDRUM: The Denali -- or the Parks Highway area  
49 the next Park Service priority work for C & T

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determinations. The reason it's kind of been held back is just to get the Upper Tanana and the Copper River Basin C & T a little farther along. So it was the next one we were planning to pick up. I certainly can't make any promises to you 'cause I'm a staff person, not one that delegates responsibility to anyone, but we've -- Hollis and I and others have talked about this, and I'd like to say that we're going to try and jump on this pretty quick, but we have to get some authorization within our regional office which we're working on right now. So -- but I can't make any assurances today, but it is our next priority.

12

13

MR. BASNER: Mr. Chairman. Well, I agree, the Upper Tanana is important, but the Upper Tanana people didn't get excluded from a traditional hunting area, and, you know, you can come up with that for an excuse, you can put some area of the state in front of these people as an excuse, but it's a tap dance. I'm losing my patience, and I've kept my patience all this time. I'm not personally affected, but I certainly represent those people that are. And if the answer is no, they cannot hunt there, fine, but the carrot gets dangled in front of them and it's kept out there dangling and they've chased the thing for eight years. And I would like to emphasize as a council member that your boss and your bosses boss and somebody else should really strongly consider these people this year.

26

27

MS. MELDRUM: Well, I can convey that opinion to my boss and see if we can't move on it a little bit, but .....

29

30

CHAIRMAN EWAN: Thank you. Lee, I guess, for my information, can you tell me what area, real briefly, that we're talking about?

33

34

MR. BASNER: There are two mileposts along the Parks Highway. Hollis, give me the numbers -- I forget them, please. What is it?

37

38

MR. TWITCHELL: 216 to 239.

39

40

MR. BASNER: Okay, between Mile 216 and Mile 239 along the Parks Highway. That encompasses the McKinley village area and Healy and the Parks Headquarters, and those people that live between those two mileposts were found by the state eight years ago to not have had -- they were found to be rural but they were found to not have had customary and traditional use of moose in that area, so therefore the people who had been hunting in the area that the expanded Denali Park now takes in, which is a small strip of land just west of the Parks Highway and east of the old park, just south of Cantwell primarily.

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These people were told, sorry, and their permit to hunt in that area was revoked. They were initially given a permit and then it was revoked, and they were told that, yes, you're rural but, no, you can't hunt there 'cause you don't have customary -- you don't have C & T.

6

7 So this has gone on and on and on, it's been reviewed  
8 By several different people and now it's kicked over to the  
9 Federal side and once again here we are going on and on and on.  
10 And if my frustration shows, I'm sorry, but I feel at this  
11 point it should show. And that's kind of the history of it.  
12 These people deserve a determination. If the determination  
13 through adequate study is that that's correct, they do not have  
14 customary and traditional use, then, okay, so be it, that's the  
15 way it is and they lose out.

16

17 We're talking about a group of people numbering around  
18 I think originally it was 16. Probably some have died and  
19 some have moved. How many would be affected now, Hollis?

20

21 MR. TWITCHELL: We're dealing with about six people now  
22 that would be affected out of the original 16 that were there.  
23 Many of the people have retired or moved away or just no  
24 longer reside there. So the number has dropped.

25

26 MR. BASNER: Okay, thank you. And this is one of the  
27 reasons that some of the local people hate the Park Service,  
28 hate the feds and hate anything to do with government, because  
29 they've just been strung along and never given the final no.  
30 They said, well, no today but maybe in the future, and maybe  
31 next week or maybe next year. So now we're down to six, and if  
32 tap dance a little longer, two, three more will die and the  
33 best will move and I guess the issue will be solved. But I  
34 don't think that's anybody's intent, and I don't mean there's  
35 any individual shortstopping this thing, but the bureaucracy  
36 has just kind of outgrown the local folks' needs, and this is a  
37 subsistence situation and we need to address it.

38

39 CHAIRMAN EWAN: Hollis.

40

41 MR. TWITCHELL: I'd just point a couple other things  
42 out to the council, this area that we're describing actually  
43 falls within the Eastern Interior Regional Advisory Council  
44 area, and they have, as of last year, formally sent a letter to  
45 the Federal Subsistence Board urging them to uptake this issue  
46 as soon as possible date. Denali's SRC has also formally  
47 requested that this particular issue or appeal be reviewed as  
48 soon as possible. So -- and the position is also held by the  
49 Denali National Park, this particular area warrants review. So

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there's a lot of people that are in support of this review taking place, and as Lee says, it's hard to say what the outcome would be now. The demographics and the population has changed significantly in this road corridor area since when the initial determination was made, and it will certainly have an effect on the numbers of users in that area presently as compared to what it was in 1988.

CHAIRMAN EWAN: Thank you, Hollis. Can you tell me one quick thing here? Since it's between 216 and 239 Milepost, where does the Denali boundary begin?

MR. TWITCHELL: The Denali boundary lies to the west of the Nenana River, and the Parks Road is on the east side of the Nenana River. The park boundary approaches the highway in the Cantwell area and parallels the road up all the way to Healy.

CHAIRMAN EWAN: Okay, thank you. I would think that if you feel strongly about this, Lee, that you make a motion that maybe we propose that the Federal Subsistence Board speed the process up here or something to that effect.

MR. BASNER: It's my recollection that we did that last year. I know this was discussed when Dick Pospahala was standing before us. I don't recall if we made a formal motion or not, but it was discussed, and the staff did make some sort of a comment about, yes, it was going to be moved up on the priority list, and I see it's still on the priority list but it's not up there. I don't recall the details. I'll be glad to make a motion.

CHAIRMAN EWAN: I don't think it will hurt anything. I will -- go ahead, I will entertain a motion.

MR. BASNER: I move that the council write a letter to the Subsistence Board, recommending that the C & T determination for the people that live between 216 and 239 on the Parks Highway be given top priority.

CHAIRMAN EWAN: Is there a second to that motion?

MR. ROMIG: Yeah, I'll second it.

CHAIRMAN EWAN: Motion has been seconded. Any further discussion on the motion? All right. Let's take a vote on it. Yes, Lee.

MR. BASNER: Yeah, I just want to make one more comment. I say top priority. I don't want to -- you know, I

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don't want to give them a number and hold their feet too close  
to the fire. I want some flexibility there, but maybe I should  
say high priority. I don't want to say it has to be number one  
as what I'm getting at -- that's what I meant.

5

6 CHAIRMAN EWAN: All right. If we have no further  
discussion on the motion, all in favor say aye.

8

9 IN UNISON: Aye.

10

11 CHAIRMAN EWAN: Opposed by the same sign. (No opposing  
responses) Motion is carried. I think it's about time we  
recess for the evening. I guess there's nobody to make public  
comments. If there's no objection I would like to recess till  
9:00 a.m. in the morning. Hearing none, we'll recess till 9:00  
a.m. in the morning.

17

18 (Off record)

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(PROCEEDINGS TO BE CONTINUED)

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3 UNITED STATES OF AMERICA )  
4 ) ss.  
5 STATE OF ALASKA )  
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8 I, Laurel L. Kehler-Evenson, Notary Public in and for  
9  
10 the State of Alaska, residing at Anchorage, Alaska, and  
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12 Reporter for R & R Court Reporters, Inc., do hereby certify:  
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14 THAT the annexed and foregoing is a Transcript of the  
15  
16 Southcentral Alaska Subsistence Regional Advisory Council  
17  
18 Meeting, Volume 1, taken on the 6th day of October 1994,  
19  
20 commencing at the hour of 10:00 o'clock a.m., at the Kenai  
21  
22 Peninsula Borough Assembly Chambers at Soldotna, Alaska;  
23

24 THAT this Transcript, as heretofore annexed, is a true  
25  
26 and correct transcription of the proceedings, recorded by me  
27  
28 and thereafter transcribed by me.  
29

30 IN WITNESS WHEREOF, I have hereunto set my hand and  
31  
32 affixed my seal this 19th day of October 1994.  
33

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36 Notary in and for Alaska  
37 My commission expires: 10/20/94  
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